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VALENTINE
16 DEC 19 PM 2:19

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN EDWARD JONES,

Defendant.

No. CR2015-00862

STATE'S MOTION TO COMPEL
DEPOSITION OF WARREN JONES

(Hon. Dan Slayton, Div. 2)

The State of Arizona, by and through the undersigned Deputy County Attorney,
hereby moves this Court to order the deposition of Warren Jones for the following
reasons:

1. Rule 15.3(a)(2) provides for an order compelling a deposition upon the motion
of any party when:

A party shows that the person's testimony is material to the case . . . or
to investigate the offense, that the person was not a witness at the
preliminary hearing . . . and that the person will not cooperate in granting
a personal interview.

2. Warren Jones is Defendant's father. Warren Jones's testimony is material to
the case because he taught Defendant the various tactical firearm techniques
Defendant utilized when he shot four unarmed college students. In his
interview with the police, Defendant discussed at length the gun training he


received from his father. See Transcript of Steven Jones Police Interview, attached as Exhibit A. He told police about a "sport pistol competition" that he participated in with his father. *Id.* at 30:24-25. He told the police: "My dad trained me, he said fire to stop a threat and not to kill. He said fire until you are not in danger." *Id.* at 37:8-9. He told the police his father was an NRA certified instructor and former sheriff's posse. *Id.* at 45:6-7. He mentioned he was trained by his father since he was eight years old to shoot at "man size target[s]." *Id.* at 72:12-14. Defendant used the term "double-tap" to describe the murder of Colin Brough, a method of shooting he indicated his father taught him. *Id.* at 72:16-17. He told the police that his father gave him the .40 caliber pistol—the weapon used in this case—as a gift. *Id.* at 96:1-2. He said "my dad wanted to make sure I knew how to defend myself." *Id.* at 137:16-17.

3. Defendant's expertise with the gun, his training, his background knowledge of guns, and his eagerness to shoot his gun are all relevant inquiries. Likewise, what Defendant's father, Warren Jones, taught Defendant regarding guns, gun safety, and justification (self-defense) are relevant inquiries. As the Court is aware, Defendant has alleged he acted out of "self-defense." The State, therefore, must be able to meet this justification defense by gathering all relevant information associated with Defendant's alleged defense. This necessarily includes an interview of the man who taught Defendant when and how to use a gun.
4. Warren Jones has not testified in any hearing relevant to this case.
5. The State has requested an interview with Warren Jones. Mr. Jones has refused to submit to an interview voluntarily.

1 The State moves this Court to order a deposition for Warren Jones at 11:00AM on
2 January 18, 2017 by appearing in person to the County Attorney's Office at 110 E.
3 Cherry Ave. (3rd Floor), Flagstaff, AZ 86001.
4

5
6 RESPECTFULLY SUBMITTED this 19 day of December, 2016.
7

8 DAVID W. ROZEMA
9 COCONINO COUNTY ATTORNEY

10 By 
11 Ammon D. Barker
12 Deputy County Attorney
13

14 COPY of the foregoing mailed/delivered this
15 ^{pm} day of December, 2016, to:

16 The Honorable Dan Slayton
17 Division 2
18 Coconino County Courthouse
19 Flagstaff, AZ 86001

20 Burges McCowan
21 Joshua Davidson
22 Attorney for Defendant

23 By: 
24
25
26

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Exhibit A

1
2
3
4
5
6 Unsworn Interview

7 of

8 Steven Jones
9

10
11 Taken

12 October 9, 2015
13

14
15 by

16 Northern Arizona University Police

17 Officer Kenneth Hunter

18 Officer Keegan Park
19

20
21
22
23 State v. Steven Edward Jones

24 Case #CR2015-00862
25

1 * * * * *

2 File #1

3 Silence from 0:00:00 through 0:05:08

4 MR. JONES: How much longer do I have to be in
5 here?

6 OFFICER PARK: That's what we are waiting for, as
7 soon as we find out I will let you know. I promise, you
8 have my word on that.

9 MR. JONES: Okay.

10 OFFICER PARK: Okay. Do you have enough water?

11 MR. JONES: [No audible response]

12 OFFICER PARK: Okay. I'm still waiting for, for
13 my boss to -- we can talk then. Okay.

14 MR. JONES: Who?

15 OFFICER PARK: My boss?

16 MR. JONES: Who you talking to?

17 OFFICER PARK: What do you mean?

18 MR. JONES: Who, who, who can we -- you and me?

19 OFFICER PARK: I don't know if it is going to be
20 me and you. I don't know yet; but we will make that clear
21 once we do start talking. Okay.

22 MR. JONES: How much longer do you think it will
23 be?

24 OFFICER PARK: Maybe another ten minutes. These
25 types of things are -- there are a lot of details. So we

1 have to go through a lot of information.

2 MR. JONES: I'm scared.

3 OFFICER PARK: You don't have to be scared. You
4 are in a safe place right now. So you just have to hang
5 tight. You have some water; do you need anything else?

6 MR. JONES: No.

7 OFFICER PARK: Okay, so just give me ten minutes.
8 Okay?

9 MR. JONES: All right.

10 Silence 0:06:15 through 0:06:50

11 [Mr. Jones crying and knocking on door]

12 MR. JONES: I don't think I can be alone for ten
13 minutes.

14 OFFICER PARK: Okay, I can sit in here with you.
15 Absolutely.

16 MR. JONES: What's your name?

17 OFFICER PARK: Keegan.

18 MR. JONES: Thank you for being nice to me.

19 OFFICER PARK: Your welcome.

20 MR. JONES: The fireman asked me if my tooth was
21 loose. I said no, but now it is. It's a little loose
22 inside there. Is that bad?

23 OFFICER PARK: If anything changes with your
24 medical situation, let me know so that we can have another
25 medical professional take a look at you.

1 MR. JONES: Do you know if they are okay yet?

2 OFFICER PARK: What's that?

3 MR. JONES: Do you know if they are okay yet?

4 OFFICER PARK: I don't know.

5 MR. JONES: Do you know how many people got hurt?

6 OFFICER PARK: Um, I want to say it was two. I
7 don't have an exact number. Remember, I was in the cop car
8 that was right there so I was the first one to see you.
9 That's all I know.

10 MR. JONES: Was that you with the rifle?

11 OFFICER PARK: Ah-hmm. That was me.

12 MR. JONES: I thought you were going to kill me.

13 OFFICER PARK: No.

14 MR. JONES: I thought they were going to kill me.
15 I think they're all going to kill me. Everybody at school
16 probably wants to kill me. [Pause 09:00-09:23] I'm sorry I
17 made you do this tonight.

18 OFFICER PARK: You don't have to apologize to me.

19 MR. JONES: I never felt like this before. I
20 don't know what to do.

21 OFFICER PARK: Well, right now just focus on our
22 breathing. Okay. We're not -- I'm not going anywhere;
23 you're not going anywhere. We just have to hang tight.
24 Unless my supervisor tells me otherwise, we'll start
25 talking tonight.

1 MR. JONES: My dad said to call him before I talk
2 to the police. Can I call my dad?

3 OFFICER PARK: Yeah. Let me go find out and I
4 will get all the information for you, okay?

5 MR. JONES: I don't want to call him.

6 OFFICER PARK: You don't want to call?

7 MR. JONES: What's he going to say. I was just
8 walking home. [Crying] Have you ever seen someone get shot
9 before?

10 OFFICER PARK: I have not, no.

11 MR. JONES: I have. Oh God.

12 OFFICER PARK: Steven, do you mind if I step out
13 for a minute or two so I can find out how long until
14 somebody can come over here and talk to us?

15 MR. JONES: Do what you need to.

16 OFFICER PARK: Okay. Thank you.

17 OFFICER HUNTER: Hey Steven, what's your phone
18 number, young man.

19 MR. JONES: Mine?

20 OFFICER HUNTER: Yeah,

21 MR. JONES: 623-606-1122

22 OFFICER HUNTER: Okay man, I am going to come in
23 and talk to you. My name is Ken, okay? Go ahead and have
24 a seat and I am going to come back in and talk to you in
25 just a couple of minutes.

1 MR. JONES: Is Keegan coming too?

2 OFFICER HUNTER: Keegan's going to be out here.
3 Do you like Keegan? He's a good dude.

4 MR. JONES: I want to talk to him.

5 OFFICER HUNTER: You want to talk to him? Sounds
6 good.

7 MR. JONES: I don't know that guy.

8 OFFICER PARK: What's that?

9 MR. JONES: I don't know that guy.

10 OFFICER PARK: That guy, his name is Ken.

11 MR. JONES: I don't want to be alone with him.

12 OFFICER PARK: You don't want to be alone with
13 him? Okay, I can sit in here. Ken works on my shift, it's
14 his normal day off. So he just came in to help us out.

15 MR. JONES: So I fucked up his shift.

16 OFFICER PARK: What's that?

17 MR. JONES: I fucked up his day off.

18 OFFICER PARK: Oh no, you didn't fuck up his day
19 off. You didn't do any of that.

20 MR. JONES: What's Ken's job?

21 OFFICER PARK: What's that?

22 MR. JONES: What's Ken's job?

23 OFFICER PARK: Ken's actually my supervisor. And
24 he -- his title is a Corporal.

25 MR. JONES: What's he do?

1 OFFICER PARK: Same thing I do, he's just a -- a
2 supervisor other officers.

3 MR. JONES: So if he does what you do, why does
4 he have to talk to me instead of you?

5 OFFICER PARK: I don't know if that's the case.
6 It could be all of us.

7 MR. JONES: Can you stay inside?

8 OFFICER PARK: You know I don't know if I can
9 yet.

10 MR. JONES: [Inaudible -- Pause 13:57 - 14:39]
11 How old are you?

12 OFFICER PARK: Twenty-six. I forgot when your
13 birthday was, when was it?

14 MR. JONES: I'm eighteen. Did you go to NAU?

15 OFFICER PARK: I did go to NAU, yes.

16 MR. JONES: Are you married?

17 OFFICER PARK: No, I'm not. That entails a lot
18 of responsibility.

19 MR. JONES: Lord knows a policeman has a lot of
20 that.

21 OFFICER PARK: Yeah.

22 MR. JONES: Have you ever seen anything like
23 this?

24 OFFICER PARK: Not in real life just kind of TV.

25 MR. JONES: [Inaudible] Did you graduate?

1 OFFICER PARK: Say that again?

2 MR. JONES: Did you graduate?

3 OFFICER PARK: I did graduate.

4 MR. JONES: What did you major in?

5 OFFICER PARK: It was criminal justice. How far
6 are you into your degree?

7 MR. JONES: It doesn't matter.

8 OFFICER PARK: Well you are asking me questions,
9 I can ask the same ones.

10 MR. JONES: I just started school four weeks ago.

11 OFFICER PARK: Four weeks ago?

12 MR. JONES: I was just in high school.

13 OFFICER PARK: Which high school?

14 MR. JONES: It was called The Mountain Ridge.

15 OFFICER PARK: Mountain Ridge? You play a sports
16 there?

17 MR. JONES: Baseball.

18 OFFICER PARK: Baseball. They just, maybe three,
19 four years ago, they reclassified the structures of how
20 they classified the school training programs. Like it used
21 to be 1A was the smallest and 5A were like the biggest
22 schools.

23 MR. JONES: [Unintelligible]

24 OFFICER PARK: Did you, do you know what
25 classification you were? Mountain Ridge?

1 MR. JONES: No, we had like two-thousand kids.
2 OFFICER PARK: Two-thousand kids, okay.
3 MR. JONES: Everybody loved me there.
4 OFFICER PARK: Yeah, what position did you play?
5 MR. JONES: Short stop.
6 OFFICER PARK: That's a very popular position.
7 UNIDENTIFIED OFFICER: Can I talk to Keegan real
8 quick?
9 OFFICER PARK: I'll be right back.
10 [Pause 16:59 - 17:25]
11 OFFICER HUNTER: Steven, is it okay if Keegan
12 sits out for a minute? My name is Ken, I am with NAU
13 police department, or would you prefer him to be in here?
14 I know that you guys have already developed kind of a
15 relationship and a bond there. So...
16 MR. JONES: If he has to go.
17 OFFICER HUNTER: Yeah, he's kind of a busy guy
18 right now. That's you, right?
19 MR. JONES: Yeah.
20 OFFICER HUNTER: This is your wallet?
21 MR. JONES: Yeah.
22 OFFICER HUNTER: Okay.
23 BY OFFICER HUNTER:
24 Q. I understand you are an NAU student, huh?
25 How long have you been going to NAU?

1 A. Four weeks.

2 Q. Four weeks. Liking it so far?

3 A. No.

4 Q. No, how come? Um, I am going to talk to
5 you. But before I do that you have the right to remain
6 silent. Keegan already read you these rights, right?

7 A. Yeah.

8 Q. Do you remember what they were?

9 A. Silent, can be used against you.

10 Q. Okay. Let me re-read them to you, just in
11 case. All right? You have the right to remain silent.
12 Anything you say can and will be used against you in court.
13 You have the right to consult with an attorney and have an
14 attorney present during questioning. If you cannot afford
15 an attorney, one can be provided to you before questioning
16 at no cost. Do you understand those?

17 A. Yeah.

18 Q. Yeah? Okay, at 3:04.

19 A. 304 what?

20 Q. 3:04 in the morning.

21 A. Is it?

22 Q. Yeah, what time did you think it was?

23 A. 12:00.

24 Q. Okay. How old are you?

25 A. Eighteen.

1 Q. Eighteen, when do you turn nineteen?

2 A. December.

3 Q. Okay, so you been going to school for how
4 long?

5 A. Four weeks.

6 Q. Four weeks at NAU. Where did you go to
7 school before that?

8 A. A year at Mountain Ridge, I was home
9 schooled before that.

10 Q. How long -- so you were home schooled all
11 the way up till your senior year in high school?

12 A. I went to a home school coop, which is like
13 a private school.

14 Q. Okay. How many students were in that one?

15 A. Five hundred.

16 Q. Holy cow. Did you actually go to a
17 building?

18 A. A campus.

19 Q. Okay. Did your parents -- how did that
20 work?

21 A. My mom home schooled me, then I
22 supplemented with that.

23 Q. Okay. How long did you go there a day?

24 A. Three days a week for five or six hours.

25 Q. Three days a week for five or six hours.

1 Okay. What happened tonight?

2 A. I don't think I should answer that without
3 calling my dad first.

4 Q. You want to call your dad?

5 A. I don't want to. [Crying]

6 Q. Okay.

7 A. What's he going to say?

8 Q. What's he going to say? Well, I don't
9 know.

10 A. [Crying] I'm sorry.

11 Q. It's ok.

12 A. Thank you for being nice. Can I have a
13 second to think?

14 Q. Sure. What happened to your hand?

15 A. Somebody kicked it to the ground.

16 Q. Somebody kicked it to the ground? Okay.

17 A. Should I call an attorney?

18 Q. That's up to you. So...

19 A. I'm not an adult.

20 Q. You are, your eighteen. So I'm not here to
21 -- I am just here to get the facts.

22 A. Okay.

23 Q. You understand what I am saying? Like I
24 can't change anything. I am just trying to come to an
25 understanding of exactly what happened and what's going on.

1 So that's why I'm here.

2 A. Okay.

3 Q. So -- and I would like to know your
4 perspective.

5 A. Okay, is there a video camera in here
6 somewhere?

7 Q. Uh, yeah.

8 A. There is?

9 Q. Uh-huh.

10 A. I don't want my mom to see me like this.

11 Q. Okay. Do you have any brothers and
12 sisters?

13 A. No.

14 Q. No. What do your folks do?

15 A. My dad works at Palo Verde Nuclear Plant.

16 Q. Yeah, what does he do there?

17 A. He's an I and C Technician.

18 Q. What does I and C stand for?

19 A. Information and control.

20 Q. Okay, what about your mom?

21 A. She was a software engineer, but she quit
22 to home school me.

23 Q. Okay.

24 A. Do you know if those guys are okay?

25 Q. I don't. I just got here. So, I was at

1 home asleep.

2 A. I'm sorry to wake you up.

3 Q. Oh, no. Like I said, I am just trying to
4 figure out what happened and get to the bottom of it.

5 A. I was walking home.

6 Q. Okay.

7 A. I was with Jake and um -- Jake and Shay.

8 Q. Is Shay a girl or a boy?

9 A. Boy.

10 Q. Okay.

11 A. We were standing in front of this house and
12 we got up to leave and like ten or twelve dudes came out.
13 And they started like talking shit and get the fuck off our
14 porch. And then we just decided to turn around and walk
15 away. [Crying] Oh God, I'm sorry.

16 Q. Okay, how did you guys end up there?

17 A. We were at a friend's house.

18 Q. Do you know who -- does your friend live up
19 there?

20 A. I don't know who it was, it wasn't my
21 friend.

22 Q. Whose friend was it?

23 A. One of the guys. We were just going to
24 their house to hang out. We hung out for a little bit and
25 we left.

1 Q. So you had actually gone to that friend's
2 house?

3 A. Yeah.

4 Q. Where was that at?

5 A. It was in the Grove.

6 Q. Okay, so you guys were over at the Grove?

7 A. Yeah.

8 Q. Okay. Do you remember what time you left?

9 A. I thought it was like twelve or twelve
10 thirty, I don't know.

11 Q. Okay.

12 A. My phone was dying so I wasn't looking at
13 the time.

14 Q. So how did you -- when you left the Grove,
15 do you remember what apartment it was?

16 A. No.

17 Q. Okay. Whose friend was it?

18 A. It was a girl.

19 Q. Oh, it was a girl?

20 A. She had a few guys from class over and a
21 few of her friends. We were playing guitar hero.

22 Q. Okay. How many people were over there?

23 A. Ten or Twelve.

24 Q. Did you know any of them?

25 A. I knew of them, acquaintances.

1 Q. Okay.

2 A. Like I knew the guys I went with and then a
3 couple of the girls there.

4 Q. Okay, who are the girls that were there?

5 A. I don't know.

6 Q. You don't know? How did you know them
7 though?

8 A. They were in the sorority that was friendly
9 with my fraternity.

10 Q. Okay. So you belong to a fraternity?

11 A. No, I just started trying out, really. I
12 think it was just a week ago.

13 Q. Okay. What fraternity?

14 A. Sigma Chi.

15 Q. Sigma Chi?

16 A. Yeah.

17 Q. Okay. So are they doing their active
18 recruiting now?

19 A. [No audible response]

20 Q. Okay.

21 A. So I was a pledge.

22 Q. You were pledged, and you got into that
23 about a week ago?

24 A. Yeah.

25 Q. Okay. How has that been going?

1 A. Good, I didn't think I was going to enjoy
2 college until I met those guys because they were all so
3 nice and smart, and they made me want to stay here.

4 Q. Awesome. Where do they -- do they live out
5 of Mountain View?

6 A. Yeah.

7 Q. They do?

8 A. Yes.

9 Q. Okay. Do you know what wing they are in?

10 A. The Sigma Chi wing.

11 Q. The Sigma Chi wing, but you don't know what
12 floor?

13 A. Fifth floor.

14 Q. Okay. Do you know what side of the
15 building? They break it down. It is kind of like A, B, C.

16 A. I don't know anything about Greek life. I
17 am brand new.

18 Q. Brand new, okay. A week old. So, what
19 happened? So, you leave your friend's house, right. So,
20 you were over there playing guitar hero.

21 A. We were walking back to my car because I
22 parked at Mountain View. Cause I'd get towed if I parked
23 at the Grove. We passed by this D Chi house and we realize
24 that Hunter's not with us anymore. So we stopped in front
25 of the D Chi house and tried to call him. We were like

1 call that asshole -- call that idiot where is he? It hurts
2 to talk about.

3 Q. Okay.

4 A. Then ten or twelve D Chi guys rushed out of
5 the house and they surrounded us.

6 Q. When you say D Chi, is that?

7 A. Delta.

8 Q. Delta Chi, okay. Where is that house at?

9 A. I don't know.

10 Q. Okay, but it is on the way. Is it on NAU
11 property?

12 A. No.

13 Q. No, what's it by?

14 A. It's the North Campus.

15 Q. It's North Campus?

16 A. It's north of the campus by a road.

17 Everybody says the D guys are [inaudible].

18 Q. So who walked over there with you?

19 A. Walked over where?

20 Q. To the Delta Chi house.

21 A. Oh, we weren't at the Delta Chi house. We
22 were at a house that -- I'm sorry. The Delta Chi's have a
23 house. We were at a member of Delta Chi's house.

24 Q. Oh, okay.

25 A. It was just by the Mountain View, but we

1 didn't know it was a member of Delta Chi's house. And we
2 weren't inside we were just out on the sidewalk by it.

3 Q. Okay. How did you guys know it was a Delta
4 Chi or affiliated with Delta Chi house?

5 A. Because we saw a couple of guys walking
6 around that were Delta Chi's. Then when they came out they
7 had Delta Chi shirts on.

8 Q. Okay.

9 A. Ten or twelve guys and they all started
10 yelling at us.

11 Q. What were they saying?

12 A. Things like get the fuck out of here. Why
13 you talking shit. I'll fucking kill you, you fucking
14 pussy. They were getting right in our faces.

15 Q. Who was with you at that affiliated Delta
16 Chi house?

17 A. Jake and Shay.

18 Q. What's Jake's last name?

19 A. Mike.

20 Q. Jake Mike, and what is Shay's last name?

21 A. McConnell.

22 Q. Okay. So, they -- you guys -- is it an
23 apartment or is it an actual stand-alone house?

24 A. I'm reasonably sure it is a house.

25 Q. Reasonably sure it is a house. Okay. When

1 you guys were over at the Grove, did you guys imbibe on any
2 alcoholic beverages?

3 A. The girls were, they had beers. I had a
4 sip of my friend's beer, but I knew I was driving and
5 couldn't afford to have any alcohol in my system.

6 Q. Okay.

7 A. Smoked a lot of cigarettes though.

8 Q. Any drugs like weed or anything like that?

9 A. Not to my knowledge.

10 Q. Well you would know if you smoked
11 marijuana, right?

12 A. Oh shit Yeah, I didn't smoke weed. I don't
13 think my friends did either.

14 Q. But you didn't, per se.

15 A. I don't smoke weed.

16 Q. You don't smoke weed at all?

17 A. No.

18 Q. Okay, anything else like ecstasy?

19 A. No drugs.

20 Q. No drugs at all, so just like one sip of
21 beer.

22 A. I was the sober one tonight, and my friends
23 were staying sober anyway.

24 Q. Okay, so then what happened, what kind of
25 beer did you take that sip of? Do you remember what it

1 was?

2 A. Miller light I guess, I don't know.

3 Q. So it was kind of a lower end beer?

4 A. Shitty college beer.

5 Q. Okay. So you guys leave and it is you,
6 Mike, and Shay. No, you, Jake, and Shay. Was there anyone
7 else with you?

8 A. No, just us.

9 Q. Okay. Who is Hunter?

10 A. Hunter was with us at the girl's place, but
11 he stayed behind to talk to a girl. We didn't realize he
12 was gone until we were in front of the Delta Chi house.

13 Q. Okay, so it was just you three that left
14 the Grove.

15 A. Yeah, we were chilling out on the sidewalk
16 in front of that house.

17 Q. Okay, when you say chilling out, what does
18 that mean?

19 A. We were just standing there trying to get
20 Hunter on the phone, talking about the stars.

21 Q. Okay, pretty clear tonight, huh?

22 A. Yeah.

23 Q. Okay. Who was calling Hunter?

24 A. Jake or Shay, not me. I was just standing
25 there looking at the stars.

1 Q. Not you, did they ever make contact with
2 Hunter?

3 A. He texted him, and then he never texted
4 back.

5 Q. Okay.

6 A. He probably went back to the Grove.

7 Q. But he never left, right?

8 A. No, he left with us but he fell behind when
9 we were walking.

10 Q. Okay, where did you guys end up losing him
11 at?

12 A. I don't know.

13 Q. Obviously before you got to the house.

14 A. Yeah. Can I trust you? Are you trying to
15 trick me into...

16 Q. I'm trying to -- I already told you why I'm
17 here. So I am not -- I am here to get the facts.

18 A. I don't think you are a bad guy.

19 Q. I'm not trying to be. Like I said, this is
20 your version of what happened, and that's what I am trying
21 to get.

22 A. Okay.

23 Q. So, you don't have to talk to me. But like
24 I said, I am here to get the facts. And I want to find out
25 what happened and how this all -- so I -- so it doesn't

1 happen again, right? All right? I mean you seem like a
2 decent dude. You okay?

3 A. I'm sorry, I'm fine.

4 Q. That's what I'm trying to figure out.

5 A. Can you tell me if those guys, the D Chi's
6 are okay?

7 Q. I don't know. So I'm here talking to you.
8 Like I said, I haven't lied to you once.

9 A. Okay. I haven't either.

10 Q. Okay, and I appreciate that. I was at home
11 asleep and they call me in.

12 A. I'm sorry.

13 Q. Oh you know, it is the nature of the beast,
14 the nature of the business I should say. So that's what I
15 am trying to figure out. So -- I mean, it is up to you.

16 A. I'm just worried. Because like you know on
17 TV, cops are always trying to trick you.

18 Q. How have I 'tricked you at all?

19 A. No.

20 Q. I'm just trying to get the facts. You said
21 Hunter is at the apartment. Then he left with you but fell
22 behind.

23 A. Let's get this straight then.

24 Q. That's why I am asking all the silly
25 questions.

1 A. Can I shake your hand?

2 Q. Yeah, absolutely. All right. So you guys
3 are standing outside on the sidewalk. Are you on NAU
4 property at all at that time?

5 A. [No audible response]

6 Q. You're not, okay.

7 A. Can you take these off?

8 Q. I don't have a key, but... Yeah, let me
9 see if I can find Keegan. [Mr. Parks] Are they hurting at
10 all?

11 A. Yeah.

12 Q. Oh okay, you got that little owie [sic]
13 there.

14 A. Thank you.

15 Q. Yeah. You aren't going to try anything
16 silly are you?

17 A. Me? I've never been in a fight in my life.

18 Q. Okay. All right.

19 A. Thanks.

20 Q. So do you think that those Delta Chi guys
21 identified you as a member or as a pledge of Sigma Chi?

22 A. No, they would have had no way of knowing.

23 Q. They had no way of knowing? Okay. So they
24 were just more generally upset that you were standing on
25 their property?

1 A. On the sidewalk. I mean they were
2 obviously very drunk. They were yelling and very loud and
3 saying all kinds of stuff.

4 Q. What were they saying?

5 A. Get the fuck off my porch, I'm going to
6 kill you, you pussy, bet you couldn't fight for shit, get
7 out of here and go back to the freshman dorms, fucking
8 faggot.

9 Q. Okay. Was there any one in particular that
10 was more aggressive?

11 A. I don't know. Right as they come out and
12 start saying all that, I got clocked in the face. He just
13 fucking rocked my world. I had no idea what was going on.
14 My glasses fell off; I could barely see. I was like
15 stumbling and bleeding. It was awful.

16 Q. Okay.

17 A. Then I just ran as fast as I could.

18 Q. Okay. Did you get knocked down to the
19 ground at that point?

20 A. I think I caught myself but it is so fuzzy.

21 Q. So you just ran as fast as you could.

22 A. Yeah, I don't remember where.

23 Q. Okay. How many times were you hit at that
24 point?

25 A. I got clocked once, then when I was running

1 away somebody like -- I don't know -- tried to grab my
2 shirt. Then when we got to Mountain View and like -- they
3 had my buddies -- like my buddies couldn't go anywhere.
4 Like they're smaller than me so they are obviously going to
5 get like fucked up. So I went over there to try to help
6 them.

7 Q. Where was this at?

8 A. Right in front of like -- do you know the
9 parking lot in Mountain View?

10 Q. Yep, that big one?

11 A. Yeah.

12 Q. Can you draw a map?

13 A. Yeah.

14 Q. Okay.

15 A. I mean it is not going to be very accurate
16 because I can't remember very well.

17 Q. Absolutely, that's understandable.

18 A. I was scared shitless. Those guys were
19 huge.

20 Q. Yeah.

21 A. Here is the D Chi house, over here
22 somewhere. Here is the parking lot, and here's the
23 Mountain View and there's the sidewalk here. We were
24 standing over here and as we start walking over here. As
25 we start walking away they all come out of the house.

1 Q. Okay. Were you actually on their property?

2 A. No, I was on the sidewalk.

3 Q. You were on the sidewalk? Okay.

4 A. Is the sidewalk private property?

5 Q. No, that belongs to everybody.

6 A. Okay, yeah, we were on the sidewalk.

7 Q. Okay.

8 A. Then we start walking across the street to
9 come to the parking lot and then they all pour out of the
10 house and come after us and start talking shit.

11 Q. Okay.

12 A. Then I get clocked, I run as fast as I can
13 over here and they were right behind me.

14 Q. Okay, how many of them were right behind
15 you?

16 A. Three or four, I don't remember. Then all
17 the rest were on my buddies. I was scared and they were
18 scared. They were prevent -- like they couldn't run
19 anywhere I don't think.

20 Q. Where were your buddies at, at that time?

21 A. They were behind me here somewhere. Like
22 being -- I don't know if they were getting hit but they
23 were being prevented from leaving.

24 Q. Okay. How were they being prevented,
25 describe that to me?

1 A. I don't know. My glasses were off; I
2 couldn't see shit.

3 Q. Okay.

4 A. But it looked like they were grabbing them,
5 they were just really close.

6 Q. Okay. Did you actually see them touching
7 your friends?

8 A. Yeah, a lot.

9 Q. Okay. How were they touching them?

10 A. I don't know my glasses fell off. But I
11 don't know. I remember seeing one guy grab Shay's shirt,
12 and they were obviously talking shit. Like they are going
13 to get physical.

14 Q. That's my phone, sorry. Let me turn that
15 down.

16 A. Sorry. So after that -- they drill into us
17 at pledgeship, never leave your brothers. Never leave your
18 brothers no matter what. Those are the only guys that have
19 been nice to me since I moved up here. I owe them
20 everything.

21 Q. Okay.

22 A. So I tried to go back over here I guess, to
23 see what's wrong. But then these two guys start running at
24 me. My car's like right here, so I run to my car because I
25 am going to try to jump in my car and drive it over here

1 and pick them up and drive away. Then I couldn't find my
2 keys and I was panicking because they are going to get to
3 me before I can start the car, and I panicked. So I
4 grabbed my gun out of the glove box.

5 Q. Was your car unlocked or locked at that
6 time?

7 A. Locked.

8 Q. Okay.

9 A. I never leave my car unlocked up here. But
10 my keys, the FOB is here.

11 Q. Okay.

12 A. I realized after they put the handcuffs on
13 that my car keys were in my pocket but I didn't know that
14 at the time.

15 Q. Okay.

16 A. I unlocked my car. So when I was running
17 to my car from these guys I reached in my back pocket and
18 unlocked my car and I also set off the alarm.

19 Q. Okay.

20 A. I get in my car and I am sitting in there.
21 I see them coming at me so I like panic and I freeze for a
22 second. I can't find my keys; I'm not going to start it in
23 time. I'm thinking oh my God. I got out my gun and
24 yelled, I have a gun. Then I racked the slide. I turned
25 on the flashlight and pointed at them and said, I have a

1 gun don't fucking move. And then [unintelligible crying].

2 Q. Where were those two guys at that time
3 then?

4 A. I was right here in front of my car and
5 they were right here running at me. I said I have a gun
6 don't fucking move, leave them alone. He said, I am going
7 to fucking kill you. Two of them ran at me as fast as they
8 could and they were like... [Crying].

9 Q. What happened then?

10 A. [No response -- crying]

11 Q. Let's back up a minute, okay?

12 A. Okay.

13 Q. Where was your gun in the car?

14 A. it was in the glove box.

15 Q. It was in the glove box, okay.

16 A. It was in the little case.

17 Q. Okay. What kind of gun is it?

18 A. A Glock 22.

19 Q. A Glock 22, so what kind of caliber is
20 that?

21 A. Forty caliber, one shot competition with a
22 back home.

23 Q. Okay. So you are a shooter?

24 A. Yeah, I shot sport pistol competition at
25 the range with my dad.

1 Q. Okay. How many rounds were in the
2 magazine?

3 A. It was full.

4 Q. Okay. What kind of car is that?

5 A. That's my red Mustang.

6 Q. Red Mustang, what year is it?

7 A. '08, '07.

8 Q. 2007 red Ford Mustang?

9 A. Yeah.

10 Q. Okay, do you know the license plate number
11 by chance?

12 A. No.

13 Q. Did you ever get inside your car?

14 A. Yeah. I got in it to try to drive away and
15 pick up my friends.

16 Q. Okay, tell me about that.

17 A. Well if this is the front seat...

18 Q. Front seat where?

19 A. In my car.

20 Q. Drivers side, passenger side, what?

21 A. Drivers side.

22 Q. Okay.

23 A. So, my car is facing this way and Mountain
24 View is there. So I run to my car I swing open the door
25 and sit in the front seat.

1 Q. Okay. So your car is facing this way.

2 A. Yeah.

3 Q. So your driver side door is right here, am

4 I understanding that right?

5 A. Yeah.

6 Q. Okay, I am going to draw like an arrow. Is

7 that okay?

8 A. Yeah, that's cool.

9 Q. So it's facing that way.

10 A. Yeah.

11 Q. Okay, so you actually get into the car. Do

12 you close the door?

13 A. I don't remember.

14 Q. Okay.

15 A. I -- I think so, but I don't know.

16 Q. Okay, so what happens when you get in the

17 car? How long do you think you were in the car?

18 A. four or five seconds.

19 Q. four or five seconds.

20 A. They are running at me, like I don't have a

21 lot of time. I panic and I can't find my keys because I

22 don't know where my keys are... [Crying].

23 Q. Sure. So you are in the car at that point

24 and where were those guys when you were sitting in the car,

25 can you draw on there where they were? Can you estimate

1 the number of feet you think they were from you?

2 A. Um...

3 Q. When you were inside the car?

4 A. I didn't look back; I didn't have time to
5 look back. I was running as fast as I could, but when I
6 started running from here they were right behind me. When
7 I got to my car I looked to my left I saw both of them but
8 don't have my glasses on so I didn't know how far exactly,
9 but they had been running after me when I was over here.

10 Q. Okay. How close were they?

11 A. Um -- like when?

12 Q. There when they started chasing you from
13 right there.

14 A. Right on my back.

15 Q. Close enough to where they could touch you?

16 A. No, like maybe five or ten feet.

17 Q. Okay.

18 A. Like close, like...

19 Q. Okay.

20 A. I was so scared; I have never been in a
21 position like that before.

22 Q. Sure.

23 A. I was scared; they were saying we're going
24 to kill you, pussy, faggot. [Crying] I thought I was going
25 to die.

1 Q. Okay. So you were in the front driver seat
2 of the car. And, you get your Glock out.

3 A. Yeah, I couldn't start the car, and I knew
4 I didn't have enough time so I assumed I was going to have
5 to defend myself. So I got the gun out.

6 Q. Okay, does it have a light on the gun?

7 A. Yeah, it's got a flashlight TLR-1.

8 Q. From Streamlight?

9 A. Yeah, my dad bought it or my ex-girlfriend
10 bought it for my birthday.

11 Q. Okay. All right. So then what happened
12 when you grabbed the gun, you still in the front seat of
13 the car?

14 A. Yeah, so I rack a round in the chamber, and
15 I can't see shit, it's dark and there are people screaming
16 and my glasses are off. So I was like I need to get
17 closer, you know. So like, I lean out the window and I'm
18 like don't move, I have a gun, stop. I don't remember, I
19 was panicking. Then I look over and I see like Shay and
20 Jake surrounded by guys. So I was like, I have a gun, I
21 have a gun. I ran over there, like I didn't run over there
22 I -- if Shay and Jake are right here, then like I was
23 getting out of the car and these guys were right here, the
24 D Chi's -- It is so hard to remember. [Crying] I got out
25 of the car and stood in front of my car like maybe two or

1 three feet right in front of the door and I had my gun.
2 And I was like, don't fucking move I have a gun. Then they
3 all like -- there were like four or five guys on Shay and
4 Jake, so I was like if I shine the flashlight on them
5 they'll get scared. So I shine the flashlight on them and
6 say, don't fucking move I have a gun, stop right there.
7 Then like those two guys just charge me, run right at me,
8 like I'm going to kill you, pussy.

9 Q. Okay, do you know who they were?

10 A. No. That's what made them so scary, I
11 don't know these guys for shit. Why would they even try to
12 chase me, why would they do this to me. I don't know them.

13 Q. Ah-huh, so that happened, like the injuries
14 to your face when did that happen?

15 A. I got clocked right outside the house.

16 Q. Okay.

17 A. And that is when I started running.

18 Q. Where did you get hit at?

19 A. The first time...

20 Q. Yeah, the first time. Explain that a
21 little bit more.

22 A. In the street in front of the house.

23 Q. Okay, so but describe to me how you got
24 hit. Explain that a little bit better.

25 A. I don't know, all the sudden there are ten

1 or twelve guys on top of us yelling shit at us and the next
2 thing I know, bam.

3 Q. So where did you get hit?

4 A. Right here on this side.

5 Q. On your right side of your face?

6 A. I'm pretty sure, I don't really remember.

7 It was just dark all of the sudden and then really light.

8 Q. Okay, then what happened after that, what
9 did you do?

10 A. I stumbled, I fell, my glasses came off at
11 some point. I was running as fast as I could towards
12 Mountain View, then I remember that I can't get into
13 Mountain View because I don't have a card. I was going to
14 originally run to the Sigma Chi's because they can protect
15 me. But I couldn't get into Mountain View because I didn't
16 have a card to get in the door. So I stopped here and they
17 all caught up with me. And then after -- all the -- like I
18 forgot about -- I forgot I had a gun. I forgot these guys
19 didn't like me. I was like oh my God. So, I go over here
20 and start screaming, oh my God, oh my God, stay with me,
21 don't go, don't go, stay with me buddy. He was on the
22 ground, I rolled him over on his side and I applied
23 pressure. I was like stay with me, stay with me, why the
24 fuck did you do that, stay with me. Some guy ran up behind
25 me and he tried to grab my gun, like I tucked in my pants,

1 then I grab my gun and then five or six or ten guys piled
2 on top of me. One guy clocked me in the head, and another
3 guy stomped me. They are like yelling fucking psycho I'm
4 going to kill you. I thought I was going to die, I thought
5 they were going to get my gun and kill me.

6 Q. Sure. How many rounds did you fire?

7 A. I don't know, I just remembered my
8 training. My dad trained me, he said fire to stop a threat
9 and not to kill. He said fire until you are not in danger.

10 Q. Okay.

11 A. So as soon as I saw the first guy stop
12 moving I went to the second guy, he was still coming at me.
13 So I -- oh fuck.

14 Q. Do you know where you shot -- I mean you're
15 a pretty good shot right?

16 A. No, I was panicking, my trigger finger was
17 -- I couldn't see my glasses were like -- I just kind of
18 put the light on them and hoped for the best.

19 Q. Okay. Do you remember how many shots you
20 fired at that first individual?

21 A. No, I wasn't trained to count shots.

22 Q. Okay.

23 A. I -- I -- I could only remember my
24 training.

25 Q. Okay. What about the second individual?

1 A. Less, I'm pretty sure.

2 Q. Less? What happened with him?

3 A. He went down.

4 Q. He went down.

5 A. Like he wasn't -- like I -- until he
6 stopped being a threat to my life. He was running at me,
7 he was staring right at me, he was saying he was going to
8 kill me. I was afraid for my life. I thought I was going
9 to die.

10 Q. Okay. Did you shoot at anybody else then?

11 A. I think I might have when I was on the
12 ground and they were all trying to pummel me and grab my
13 gun. I shot in the air to try to get them to run away from
14 me scared.

15 Q. Okay.

16 A. I was screaming help, help, help. They
17 were all on top of me, I was afraid they were going to grab
18 my gun and shoot me with it. They were kicking me
19 repeatedly. I grabbed my gun and I just put it in the air.

20 Q. So then what happened after that?

21 A. Oh God, I'm sorry if I'm...

22 [Hyperventilating].

23 Q. It's a big deal, you know. It is a lot to
24 go through for such a young man. So you are certain there
25 were only two guys that chased after you to the car?

1 A. No, there might have been more. But there
2 were only two guys that rushed at me after I told them I
3 had a gun. I thought they were going to kill me.

4 Q. Why do you think that?

5 A. Why do I think that?

6 Q. Yeah, why do you think there could have
7 been more?

8 A. Because it was dark, and I didn't have my
9 glasses. There were so many people and I was running
10 scared for my life I didn't have time to do a body count.
11 I was just like, oh my God. Like I knew there were people
12 chasing me so I ran, I didn't know how many there were.
13 There might have been two there might have been five, I
14 don't know.

15 Q. Okay. Did you give aid to the second
16 person that fell?

17 A. Eight what?

18 Q. Aid like medical aid, or did you try to
19 help him at all?

20 A. No, he already had people helping him and
21 he was only shot in the arm.

22 Q. He was only shot in the arm?

23 A. That's what it looked like, and he already
24 a bunch of people around him and I didn't want to scare
25 them. Because I know that they knew -- I didn't want them

1 to be scared of me and like run away.

2 Q. Okay. So then what happened after that.
3 So those guys come over and they try to take the gun, take
4 you down and what happened?

5 A. They were like punching me and kicking me
6 like, you psycho I'm going to fucking kill you.

7 Q. Okay.

8 A. So I am like clutching the gun for my life,
9 because I am so scared they are going to take it and kill
10 me with it. They are saying they are going to kill me. Oh
11 man, my hand is numb right here.

12 Q. Okay.

13 A. I have to sneeze so bad.

14 Q. Have a sip of water. Maybe that will help.
15 Take a deep breath like.

16 A. Can Keegan be in here?

17 Q. I don't know if he is still here to be
18 honest with you. He may have got called out on something
19 else.

20 A. Okay.

21 Q. So tell me what happens after that. So,
22 you dropped the first guy. You shoot the first victim...

23 A. Don't say that, that sounds so bad.

24 Q. Okay, you shoot the second guy, or first
25 guy. You shoot the second guy. Then what happens after

1 that?

2 A. It's like kind of all blurred but I
3 remember I immediately like looking to see if anybody else
4 was coming at me. They weren't so I kind of froze for a
5 second. I tucked the gun in my pants at some point and I
6 went over to the first guy and I tried to render aid. I
7 like flipped him over because I have first aid training. I
8 was like, stay with me buddy come on. I was like why the
9 fuck did you do that, what the fuck, stay with me. I was
10 like pressing on his neck.

11 Q. Where was he shot at?

12 A. Um, well I was like -- I flipped him over
13 and I grabbed him by the neck like this and like, stay with
14 me buddy. I held him by the neck and I was like, I saw
15 blood. I don't know where he was shot at, I have no idea.

16 Q. Where did you see blood at?

17 A. In this area.

18 Q. Okay.

19 A. So I put direct pressure on it, just
20 hoping. Then some guy runs up behind me and like -- kind
21 of like does this thing and tries to grab my gun. That's
22 when everybody piled on top of me. I shot in the air to
23 get them to get the fuck away from me.

24 Q. How many times?

25 A. I don't remember, enough to get them to

1 run.

2 Q. Okay.

3 A. I wasn't trying to hurt anybody I wasn't
4 even aiming at anybody. I just aimed in the air so like
5 enough to get them to run.

6 Q. Okay. So those guys, you said they ran,
7 right?

8 A. Yeah.

9 Q. Okay, so what happened after they ran?

10 A. I was over here I think, in the parking lot
11 maybe. He ran this way.

12 Q. Who did?

13 A. The guy that tried to grab the gun, and all
14 the rest of the people just disbursed.

15 Q. Okay.

16 A. And then some guy came out of Mountain
17 View. Is Keegan really gone?

18 Q. I don't know.

19 A. Can you find out?

20 Q. Sure.

21 A. Thank you, I'm sorry.

22 Q. No problem, hang tight. It's okay if he
23 comes in and sits in?

24 A. Yeah.

25 Q. Okay. He's still here.

1 [Officer Keegan Park enters room]

2 A. Hey.

3 Q. So a guy comes running out of Mountain
4 View?

5 A. I don't know where he came from.

6 Q. Oh okay, so tell me about him.

7 A. Just some guy wearing a flannel maybe.
8 Comes up behind me and does this and goes for my gun. So I
9 grab it and make sure nobody else can get it and keep it in
10 my pants. Everybody piles on me kicking me and punching
11 me. I get clocked a few more times and they're saying I'm
12 going to fucking kill you. I think they are going to take
13 my gun and kill me with it. So I'm like holding onto it
14 for dear life. They are all kicking me and screaming at
15 me, you fucking psycho, going to kill you, what the fuck.
16 Finally, I realize that with all these people and this guy
17 with his knee in my back or whatever, I'm never going to
18 get out of this and they are going to kill me if I don't
19 get them to go the fuck away. So I get the gun out and I
20 fired a shot in the air, however many, maybe more and they
21 all disbursed.

22 Q. Okay.

23 A. So then I have the gun at the low ready and
24 I'm searching around to make sure nobody else is coming.
25 Something happened after that, I don't know. Some guy with

1 a beard and a flannel comes out. I thought I recognized
2 him, he seemed calm and polite and I could trust him. He
3 said, hey are you safe. Do you want to put the gun down; I
4 can guard it for you nobody is going to get it from you.
5 Put the gun down, you are safe. I was like, oh my God,
6 thank you.

7 Q. So what did you do?

8 A. I put it down behind him and let him have
9 it.

10 Q. So describe him for me.

11 A. Um, combed over blondish reddish hair,
12 beard, and a darker, maybe brown flannel.

13 Q. Okay. What color was the flannel, I'm
14 sorry?

15 A. Maybe brown, everything is brown under
16 those lights.

17 OFFICER PARK: Yeah, that's understandable.

18

19 BY OFFICER HUNTER:

20 Q. About how tall was he?

21 A. Maybe my height or a little taller a little
22 smaller.

23 Q. So what happened after that?

24 A. I heard sirens, I was trying to get myself
25 up. Like the police are here, I'm safe nobody's going hurt

1 me. I'm safe so I came over, and Mr. Keegan arrested me.

2 Q. Mr. Keegan arrested you there at that time?

3 A. Yeah. I was so relieved.

4 Q. Okay. You don't remember how many rounds
5 you fired off, huh?

6 A. I was trained by my dad, who is an NRA
7 certified instructor, former sheriff's posse, and Navy. I
8 was trained to fire until it is not necessary to anymore.
9 So I don't count rounds, I just fire until he is not a
10 threat to my life.

11 Q. Okay. What happened -- did you ever see
12 your friends there again?

13 A. Yeah, after the whole thing.

14 Q. Jake and Shay.

15 A. Yeah, um, during the thing I think I saw
16 them over here. Obviously when there are ten people piling
17 on you, you can't see anything. Then when they disbursed,
18 I saw them over here maybe like ducking behind a plant or
19 something.

20 Q. Okay. And then what? Have you talked to
21 them since?

22 A. No, I couldn't really. Are they okay?

23 Q. I don't know. Do you know?

24 OFFICER PARK: I don't know.

25

1 BY OFFICER HUNTER:

2 Q. Everything went pretty fast so.

3 A. Holy shit.

4 Q. How long do you think that whole...

5 A. From the time we were at that house?

6 Q. Yeah.

7 A. Ten or Fifteen seconds.

8 Q. All right. You were saying that your hand
9 hurts. Do you have any other injuries?

10 A. When I was on the ground, a guy put his
11 knee in my back. I don't know if it was a kick or a punch
12 but I got clocked right here.

13 Q. Okay.

14 A. Then some guy like grabbed my hand and like
15 twisted it as hard as he could. That is what this is from,
16 it is like numb and I can't feel it. I think I got clocked
17 once or twice again here. I don't remember.

18 Q. Okay. Did your slide ever lock back?

19 A. No, I didn't fire nearly that many.

20 Q. All right. So how many rounds did you have
21 in the gun?

22 A. It was a full magazine, so fifteen.

23 Q. Fifteen?

24 A. Oh no, I have the little competition
25 extenders from when I was in competitions, so seventeen.

1 Q. You had seventeen rounds in the magazine?

2 A. Mm-hmm.

3 Q. What about -- did you have one in the
4 chamber?

5 A. No, I usually don't even keep a magazine in
6 it. I didn't have one in the chamber, no.

7 Q. So there should be a total of only
8 seventeen rounds, either live or spent?

9 A. Yes.

10 Q. Okay.

11 A. If I had to guess, even like just by feel,
12 like just kind of guessing like maybe five, six shots in
13 total.

14 Q. Okay. And that's just a guess?

15 A. Yeah.

16 Q. Okay.

17 A. Like I have no idea, there is a guy two
18 feet in front of you running full force, you just shoot
19 until he is on the ground.

20 Q. Okay.

21 A. Like he's saying he's going to kill you, he
22 is running right at you, and he is way bigger than you,
23 he's drunk, you just make sure that he is not a threat to
24 your life. I was so scared.

25 Q. Sure. What um -- do you think all those

1 guys were Delta Chi?

2 A. No, probably not.

3 Q. Okay. How come, probably not?

4 A. Well usually at Delta Chi -- I don't know
5 actually, but at a party it's hard to keep only Delta Chi's
6 in I guess.

7 Q. Okay.

8 A. Like maybe, I don't know.

9 Q. Were there more people inside that
10 residence when you got there?

11 A. There was a party going on I'm pretty sure,
12 because we heard music and people. We were just on the
13 sidewalk. I think Jake made the comment, oh they're
14 smoking weed.

15 Q. Was there anybody outside?

16 A. No. Nobody else, just us.

17 Q. So there was nobody in the front of the
18 house?

19 A. No, nobody visible. It was actually kind
20 of quiet. We were looking at the stars. Jake had a fight
21 with his girlfriend and I was trying to make him feel
22 better and we were talking about the stars. Then it was
23 Shay who was trying to call Hunter and get ahold of him
24 while I was talking to Jake. We were just hanging out.

25 Q. What is Hunter's last name?

1 A. Todd.

2 Q. Hunter Todd?

3 A. We were just hanging out on the sidewalk
4 and they come out and fucking punch me and say they are
5 going to kill me. What the fuck.

6 Q. When they came out of that house Steven,
7 where did they come from?

8 A. The front door I think, but I wasn't
9 looking.

10 Q. Okay.

11 A. Why would they do that? [Crying]

12 Q. Okay. Hang tight one second. Can you hang
13 out and talk to him a bit?

14 BY OFFICER PARK:

15 Q. Yeah. You running low on water?

16 A. No I'm good. What time is it?

17 Q. It is 3:43.

18 A. Do you think I am a bad person?

19 Q. No, I don't think you are a bad person. I
20 think you had bad things happened today.

21 A. [Crying] Do you think I should have tried
22 to fight them without a gun?

23 Q. I don't know. I didn't hear the first part
24 of the story. I still don't know I'm sorry, Steven, I am.

25 A. Do you want me to tell you?

1 Q. Yeah, if you want to tell me your version,
2 you're more than welcome to. Short version or what?

3 A. We were hanging out at the D Chi house,
4 well where they have an apartment.

5 Q. Do you know which house this is? So there
6 is Mountain View, and then directly across from Mountain
7 View, I thought there was a two-story duplex there.

8 A. Oh yeah, so it is more towards campus then
9 that. Directly across from the parking lot.

10 Q. Directly across from the parking lot.

11 A. I don't know.

12 Q. Is that your diagram?

13 A. Yeah, you want to see it?

14 Q. Yeah, let me get a little closer.

15 A. Thanks for talking to me.

16 Q. No problem, so explain all that to me.

17 A. This is the house where the Delta Chi's
18 were partying and here is the street, like Franklin Avenue.
19 Here is the parking lot and this is Mountain View.

20 Q. And this is where you parked your car?

21 A. This is my car here. So, we're hanging out
22 on the sidewalk, maybe here, maybe here, I don't know.

23 Q. Okay, perfect. I'm sorry to interrupt you,
24 but this is the big service drive area?

25 A. Yeah, where you drive up to go to the

1 Circle.

2 Q. Oh right. So this is the black fence here?

3 A. Yeah.

4 Q. Okay.

5 A. So we were hanging out on the sidewalk on
6 the street here and we turn around to leave. We're not
7 even trying to get into the party or do anything.

8

9 [END RECORDING - FILE #1]

10 File #2

11

12 A. ...on the Grove.

13 Q. So you are on the north sidewalk of
14 Franklin?

15 A. Like um -- where's the pen?

16 Q. So, this is -- we will use this as the
17 north.

18 A. Yeah, the north side, like right in front
19 of the house. We weren't trying to get in. We weren't
20 talking to anybody. We talked to them on the way up, like
21 I said, hey to one guy.

22 Q. Okay. Is this a different street right
23 here?

24 A. I think so but I don't know.

25 Q. Okay.

1 A. I don't know this area. But we were on the
2 sidewalk, maybe to the right a little of the front door.

3 Q. Okay. Is there anything in front of the
4 house that you remember, because I am trying to picture
5 this house?

6 A. Barbeque and a fence.

7 Q. A barbeque, like one of those Weber grills?

8 A. Yeah, I don't know. It was behind the
9 fence and we were on the sidewalk. Like the public side of
10 the fence.

11 Q. Okay.

12 A. We were like fuck it, Hunter's not
13 answering his phone, he's probably with that girl. So we
14 were just going to go back to Mountain View and hang out in
15 the chapter room and see who is there.

16 Q. Okay, and you are with Jake and Shay.

17 A. So we start walking like this way so we can
18 hop on the sidewalk and go back to Mountain View.

19 Q. Okay, is there any reason -- I'm just
20 trying to make sure I got this for my own sake. So the
21 main entrance for the A wing of Mountain View is right
22 here. And if you came from the Grove, is there a reason
23 why you passed the road? Is there something over here that
24 attracted your attention?

25 A. Oh, no. We were originally just going to

1 go to my car and go home. Then we were like, hey let's go
2 to the View. Like when we were sitting here, we stopped
3 and we were like do we really want to go back to the car or
4 do we want to go to the View.

5 Q. Okay. So you were walking and you got --
6 you were going to go back to your car?

7 A. We stopped here and we were calling Hunter,
8 and we were like, let's just go to the View.

9 Q. Okay. So, the party then -- tell me where
10 the party was there was -- there was nothing there?

11 A. We weren't going to the party. We didn't
12 know anybody there.

13 Q. It's just the place that you guys stopped?

14 A. Yeah, we happened to stop. We didn't know
15 anybody there. We didn't want to be there. So as we start
16 to leave and go back to the sidewalk, some guys come out
17 behind us.

18 Q. So you are in the process of crossing the
19 street?

20 A. We were in the middle of the street. We
21 were walking away from the house, in the middle of the
22 street.

23 Q. Okay.

24 A. And these guys come out behind us, ten or
25 twelve of them, and they are all big and aggressive and

1 they are drunk. They are like why the fuck you talking
2 shit pussy, I'll kill you. Get the fuck off my property,
3 go back to Mountain View, get the fuck off campus, you
4 don't belong here. Then he said, I'll fucking kill you.

5 Q. What do you think prompted that?

6 A. Honestly if I had to guess, it was because
7 maybe because Shay was on the phone talking to Hunter and
8 he was like mumbling to himself, pick up your phone you
9 fucking asshole.

10 Q. Okay, so these guys might think...

11 A. Might have thought he was talking about
12 them, but I don't understand how they could have even heard
13 that because it was so loud in the house.

14 Q. Okay.

15 A. But anyway. They just -- I don't know,
16 maybe they just didn't like that a bunch of Freshman were
17 in front of their house. They come out and surround us and
18 they start pushing us and shoving us.

19 Q. Where did they surround you?

20 A. In the middle of the street.

21 Q. So you guys were all in the middle of the
22 street?

23 A. I don't know exactly; I couldn't see over
24 those guys.

25 Q. Okay.

1 A. But...

2 Q. But there are three of you?

3 A. Yeah, three of us, and about ten of them.

4 Q. And they are literally circling you?

5 A. Not circling us, but like -- I don't know,
6 like mobbing us, like right in front of us. They were
7 trying to get around us and push us. Before I know it,
8 before I can make any sense of the situation or do anything
9 about it, I get clocked in the face like right here.

10 Q. Okay.

11 A. And, oh God.

12 Q. Do you know, was it a guy that threw a left
13 hook or was it somebody on your right that just came at
14 you?

15 A. I was looking at another guy and bam it hit
16 me out of nowhere. I don't know where it came from.

17 Q. Okay.

18 A. Then I started running as fast as I could
19 towards Mountain View. They started chasing after us, and
20 I lost track of Shay and Jake. I lost track of them. We
21 were over here, around here, and there are a bunch of them
22 up on me and a bunch of them up on Jake.

23 Q. And these are the same guys that came...

24 A. Yeah, they chased us to Mountain View.
25 Then I started running to my car, because I was going to

1 hop in my car and pick up Shay and Jake and take off.

2 Q. Okay, so when you were ganged up on, for
3 lack of better terms, over there. You got punched in the
4 face.

5 A. Yeah.

6 Q. Looking at your nose right here, and you
7 have, there is a like an old tan line. Do you wear
8 glasses?

9 A. Yeah.

10 Q. What kind of glasses do you wear?

11 A. Ray Bans, black Ray Bans.

12 Q. Black Ray Bans?

13 A. Yeah, they are like brand new, like I just
14 broke them last week and got a new pair.

15 Q. Okay, and are those prescriptions or are
16 they sunglasses?

17 A. They are prescriptions, just regular clear.

18 Q. Just regular clear?

19 A. I got a bunch of pictures with me wearing
20 them.

21 Q. Okay. All right. Where are those at?

22 A. I always wear them. They fell off at some
23 point. Like maybe when I was running or when I got
24 punched, I don't know.

25 Q. Okay, so here you were punched in the nose,

1 the glasses may have fallen off there. Definitely in the
2 middle of the street and not towards the Delta Chi house.

3 A. Definitely not anywhere near the Delta Chi
4 house. It was in the middle of the street.

5 Q. In the middle of the street, okay, or they
6 fell off while you were running away.

7 A. Or -- I don't remember, I was panicking.

8 Q. Understandable, I wouldn't know what to do.

9 A. I am over here and they are chasing me.

10 Q. Okay, so you are over here by yourself.

11 A. So I start running to my car.

12 Q. But before this you are running away and
13 you don't know where...

14 A. No, they are over here. I saw them like, I
15 was like, okay I am going to grab my car and swoop up over
16 here and grab them and go up over the circle on this side
17 and drive away.

18 Q. Okay.

19 A. So I unlock my car because I have the key
20 FOB in my back pocket, cause it is not attached to my keys.

21 Q. Okay, and it just unlocks it?

22 A. Yeah, so I reached in my back pocket and I
23 flip all the buttons in a panic like fuck, fuck, so the
24 alarm went off and then it went back on. I don't know.
25 The car got unlocked and I got in, I was panicking. I

1 didn't know what to do, I couldn't see, it was dark, there
2 are people chasing after me. I was running to my car, and
3 they are saying I'm going to fucking kill you, and they are
4 right behind me, and I didn't have a lot of time. I didn't
5 know where my keys were. Even though they're in my fucking
6 pocket. I didn't know where they were. I couldn't start
7 the car in time before they got to me. So I was like...

8 Q. So the car keys were separate from the key
9 fob?

10 A. Yeah.

11 Q. Okay.

12 A. Yeah, so that kind of fucked me. But I was
13 like shit they're going to be on me any second now. I
14 don't have time to start the car. So I say fuck I got the
15 gun because I didn't have any time.

16 Q. And where is the gun?

17 A. In the glove box. In a pistol wrap, like
18 the little foam cases. So I grabbed it and it was already
19 unzipped because a week -- not -- yeah -- a week previous I
20 got pulled over for not stopping at a stop sign completely.
21 So I told the officer, like officer I have a pistol in the
22 glove box. She was like okay. So she unzipped it and
23 unloaded it, and when I put it back I just never zipped it.

24 Q. Gotcha, when was that?

25 A. Last week sometime.

1 Q. Do you know who pulled you over?

2 A. I've got the ticket in my glove box, she
3 gave me a warning.

4 Q. Was it up here?

5 A. Yeah, it was right over by Mountain View.
6 Literally right here.

7 Q. Okay, which agency. We all look the same?

8 A. No, no, she was just -- I'm scared of
9 police.

10 Q. Well, you don't seem so scared of me.

11 A. You're the only person that has been nice
12 to me all day, dude.

13 Q. So a week ago you get pulled over by -- you
14 said it was a female police officer.

15 A. Yeah.

16 Q. And she gave you a warning for the stop
17 sign?

18 A. Yeah.

19 Q. And during that encounter with her you told
20 her you that had a firearm.

21 A. Yeah, like officer, I have to inform you
22 that I have a firearm in the glove box so I can't get my
23 registration you are going to have to get it for me. She
24 took it, she unloaded it, and put it in my trunk. I got
25 done with the ticket, she said wait till I leave and then

1 put it back in your glove box.

2 Q. Okay. So you have your key FOB, car alarm
3 goes off, car alarm stops, and you unlock the car.

4 A. I'm in the car, I'm sitting there and I am
5 like panicking, I don't know how I am going to start the
6 car, and like my legs are shaking, I don't know how I am
7 going to fuck with the clutch. I don't know anything, like
8 they're going to be on me in a matter of like one or two
9 seconds.

10 Q. What kind of car do you have?

11 A. Red Mustang.

12 Q. Okay.

13 A. So I reach in the glove box and grab the
14 pistol. I have it like this and I say, stop mother fuckers
15 I have a gun. I don't know like how far away they were, I
16 thought they were pretty close because I don't have my
17 glasses. So I said, stop mother fucker I have a gun don't
18 move, don't come any closer. And then like -- then like I
19 stepped out of the car to like see better because the light
20 was on I think and I couldn't see or whatever. So I
21 stepped out of the car and I was like right here, maybe
22 three or four feet in front of the car. I said stop mother
23 fucker I have a gun, and I pointed the gun at him, because
24 I just needed a light, if he has the light on him he knows
25 not to come any closer. So I shine the light on him and I

1 see Cool [sic] and Shay over there with two guys, something
2 like two guys, two big guys. They are like skinnier than
3 me.

4 Q. Does your gun have a gun or a light on it?

5 A. Yeah, TLR-1.

6 Q. Okay. Rewind a second. So I don't get all
7 confused. When you ran from the service drive area and you
8 are getting to your car, [Inaudible] they're already in the
9 service drive area, right?

10 A. They are like right here.

11 Q. That's the service drive?

12 A. Yeah.

13 Q. Okay, so you got to your car, backtrack me.
14 Car alarm, sitting inside it, you find your keys?

15 A. I didn't find my keys.

16 Q. You didn't find your keys?

17 A. I didn't know where they were. Like
18 they're in my pocket but I like did this [Patting sounds]
19 but I didn't feel them. There's like no time to search in
20 my pocket because they would be there.

21 Q. So you said you were in the car, where were
22 you?

23 A. In the driver's seat. The car is facing
24 this way so the driver side is facing the service drive.

25 Q. Okay so the driver door is closest to that

1 side, and so you got in. Do you remember closing the door?.

2 A. I don't, I don't remember at all.

3 Q. You don't remember closing the door, okay,
4 but you sat inside the car?

5 A. Yeah.

6 Q. Okay. Then you know that they are still
7 chasing you, you can hear them?

8 A. Yeah, when I started running from the
9 service drive they were chasing me, like yelling, I'm going
10 to kill you, you faggot.

11 Q. Okay. Were there other cars between you or
12 was it just straight?

13 A. No, it was just straight.

14 Q. Was it sitting on an end row?

15 A. It was really close to the service drive,
16 three or four spots.

17 Q. Three or four spots in?

18 A. Yeah. I could -- it was basically right
19 there.

20 Q. Okay. So you are in the driver's seat,
21 they are still chasing you. How far would you say behind
22 you?

23 A. When I started running like maybe three or
24 four feet behind me. I don't know five, ten like I didn't
25 turn around and look, I just booked it.

1 Q. Right. Okay. So while you are seated
2 inside your car, and you are fumbling around, you...

3 A. It was literally one or two seconds. It
4 was like [patting sounds] nope, no keys this isn't an
5 option.

6 Q. And they didn't catch up to you by that
7 time?

8 A. No, by then I was still panicking. I was
9 like I have to do something they are going to be here any
10 second. So I grabbed the gun.

11 Q. Out of the glove box?

12 A. Yeah, I just yelled out the door stop
13 mother fucker, I have a gun. Like don't move, or whatever.
14 Then I step out of the car and I look around, I point the
15 flashlight so I can see because I don't have my fucking
16 glasses.

17 Q. What is your vision like without glasses?

18 A. Shitty.

19 Q. Like what?

20 A. Like within ten, like farther than ten
21 feet, I can't really make anything out but shapes.

22 Q. Okay, so do you wear contacts?

23 A. No I don't have the ability to wear
24 contacts.

25 Q. What would your 20/20 vision -- what would

1 yours be like, do you know?

2 A. No.

3 Q. You don't know your prescription? So
4 beyond...

5 A. It's bad, plus I am all swollen up here.

6 Q. So beyond ten feet it gets a little fuzzy?

7 A. Yeah.

8 Q. But can you still make out an object?

9 A. Yeah, I can see like who's a person and
10 who's a tree.

11 Q. Can you see like digits, two, four, five
12 and all that stuff?

13 A. Maybe. So, I shined my flashlight and
14 they're like right here. I guess they like backtrack
15 maybe, I don't know. But like...

16 Q. So you exit your car and you have the
17 light...

18 A. Yeah, I am standing right in front of the
19 car and I have the light on. I point it at the drive and
20 they are all right there and they are looking at me.

21 Q. So did they start to back up away from you?

22 A. No. No, no. Like when I was running I
23 guess they stopped chasing me or something, I don't know.

24 Q. Okay, so you thought that they were chasing
25 and you got to your car and...

1 A. They were chasing me when I started running
2 to my car.

3 Q. Right, but when you got to your car you
4 still thought that they were coming at you, so you grabbed
5 your gun?

6 A. Yeah. I was like stop mother fucker I have
7 a gun. Then when nothing happened I stepped out of the car
8 and got at a low ready to be ready for anything.

9 Q. And then -- but they were still over here?

10 A. Then I couldn't see anything, so I shined
11 the light. When I shined the light they were over here.

12 Q. Okay. How far would you say from your car
13 to the service drive, how far is that?

14 A. About five or ten feet.

15 Q. Five or ten feet? Okay.

16 A. Yeah. So I shine the light and say stop
17 don't fucking move, I have a gun. There are like two or
18 three dudes on Shay and Jake, and they are obviously...

19 Q. What do you mean, "on" them? Like what are
20 they doing?

21 A. [Unintelligible] getting like -- maybe they
22 socked them I don't know. But they were obviously like
23 pushing and being like...

24 Q. Okay, so you actually saw two guys push?

25 A. Yeah.

1 Q. Okay.

2 A. Yeah, and they were like being very
3 aggressive. In pledgeship they teach you never abandon
4 your brothers, never, and you don't go anywhere without
5 them. That's why we stopped in the first place to call
6 Hunter and see where he was.

7 Q. Okay.

8 A. I was like I am not leaving without these
9 guys. If they want to kill me, they're going to kill them
10 too, so I have to save them. They are in serious danger
11 right now. So that's why I was going to swoop them up and
12 go over here in my car.

13 Q. Okay, so at this point while you have your
14 gun out and the light is towards this direction and two
15 guys, remind me, Jake and ...

16 A. Jake and Shay.

17 Q. So Jake is over here with two guys.

18 A. I just got a glance, maybe a fraction of a
19 second.

20 Q. Okay, and where is Shay then?

21 A. Right next to him.

22 Q. So Jake and Shay are together?

23 A. Yeah, I am pretty sure.

24 Q. And the two guys are on them.

25 A. Yeah, I'm pretty sure. I really can only

1 tell by the color of their clothes. But I was pretty sure,
2 like I know for a fact it is Jake and Shay.

3 Q. Okay so two guys are over here on your two
4 friends, how many other are congregating over there.

5 A. All the rest of them so maybe like five to
6 ten.

7 Q. Five to ten more people, and what are they
8 doing? These two guys?

9 A. These guys, some of them are looking at
10 them, some of them are looking at me because I have the
11 light on them. I said, stop don't move, I have a gun.

12 Q. Okay.

13 A. And then two guys just look at me and start
14 bolting at me as fast as they can.

15 Q. From this group?

16 A. Yeah.

17 Q. Okay, and you are still near your car?

18 A. Yeah, like maybe three or four feet in
19 front of my car.

20 Q. Three or four feet in front of your car?

21 A. I stepped out and maybe took a few steps
22 forward. I was right there, right in front of my car.

23 Q. Okay.

24 A. So two guys started bolting at me. I heard
25 one of them say -- maybe like dude -- I don't know like I

1 heard I am going to kill you mother fucker.

2 Q. Do you know what that guy looked like?

3 A. I think he was wearing a white t-shirt and
4 maybe baseball hat.

5 Q. White t-shirt and baseball cap.

6 A. I don't know honestly.

7 Q. Tall, skinny, chubby?

8 A. One was wearing a black t-shirt and I think
9 he had a beard.

10 Q. Black t-shirt and beard.

11 A. I don't know. They were both athletic and
12 much bigger than me. They were very drunk and scary and
13 they were saying they were going to kill me. They are
14 running at me full force and I already got beat the shit
15 out of me. So I was in fear for my life. I thought they
16 were honestly going to kill me.

17 Q. Okay.

18 A. I never really been in a serious fight
19 before.

20 Q. People look at me, I am a police officer
21 and think that I am in tens of thousands of fights some are
22 easy and some aren't.

23 A. I don't know what to do, they are running
24 at me saying they are going to kill me. They already
25 punched me and tried to kill me, what the fuck am I

1 supposed to do.

2 Q. So there -- you got two guys of a group of
3 five to ten people charging at you and saying they are
4 going to kill you, are they making any other statements?

5 A. No, like before they started running, they
6 didn't say anything when they were running.

7 Q. Did anybody acknowledge that they heard
8 that you had a gun or anything.

9 A. No, I was hoping it would scare them away.

10 Q. Okay. But nobody flinched or anything?

11 A. Maybe the guys in the back. I was only
12 focused on the two guys in the front, once they started
13 running.

14 Q. Okay, when you announced that you had a
15 gun, did anybody leave? On the mere presence of I have a
16 gun -- did anybody leave?

17 A. I think I heard somebody say, oh shit.

18 Q. Okay.

19 A. Like somebody over here, they were like, oh
20 shit.

21 Q. Okay. Then they have no involvement
22 though.

23 A. Yeah. Then these guys are like I'm going
24 to kill you mother fucker and start running at me.

25 Q. Okay, so then what happened?

1 A. [Crying]

2 Q. Take your time, if you want to drink some
3 water, like Ken was saying.

4 A. Can I whisper in your ear?

5 Q. Okay, you're not going to Mike Tyson me are
6 you?

7 A. What?

8 Q. Bite it off.

9 A. [Laugh] No I would never ever hurt you.
10 [Inaudible] I shot this one and the second one kept coming,
11 so I shot him too.

12 Q. Okay. Which one did you shoot first?

13 A. The one on the right.

14 Q. The one on the right. And what was that
15 guy wearing?

16 A. Dark. [Crying]

17 Q. All you remember is dark clothing?

18 A. Maybe black. [Crying]

19 Q. He was the furthest to your right. Was he
20 closer than the other guy?

21 A. I don't know. [Crying]

22 Q. Okay. Did you see anything in his hands?

23 A. His fists were balled up like this.

24 Q. Fists like this and hard driving right at
25 you?

1 A. Yeah, he was way bigger than me. He would
2 have fucking strangled me.

3 Q. Okay. When you fired the first shot, how
4 far away would you say that he was from you?

5 A. Like four or five feet. Like a few more
6 steps and he would have been on me.

7 Q. Like the door?

8 A. Yeah, like that close.

9 Q. About that close. Describe how is he
10 approaching you?

11 A. That low, running really fast. [Inaudible]

12 Q. So like a full...

13 A. ...full charge.

14 Q. A full charge.

15 A. Like complete sprint, they started here and
16 within half a second they were almost right up on me.

17 Q. Okay, and do you have any idea where that
18 shot ended up?

19 A. No, I couldn't see my front sight. The
20 light was bright, it was dark, my glasses were off. I just
21 kind of put the light part of the light on his general
22 direction and kind of tried to aim for center mass like my
23 dad taught me.

24 Q. So what happens after the first shot?

25 A. I don't think he went down so I fired

1 another one.

2 Q. Okay. Still at the guy on the right?

3 A. Yeah, I fired one he didn't go down so I
4 fired another.

5 Q. How far between the shots would you say?

6 A. Bang, bang. A double tap.

7 Q. Okay, so it wasn't a one shot...

8 A. I didn't have time, no.

9 Q. Okay, so...

10 A. Like you have been trained a lot.

11 Q. Yeah, absolutely.

12 A. My dad like, I've been trained since I was
13 eight years old. He put man size target in front of me, to
14 draw and fire two rounds in under a second.

15 Q. Okay.

16 A. So I have the low ready, he came at me, and
17 then I did the double tap like he taught me.

18 Q. Okay.

19 A. And then, I don't really remember.

20 Q. Okay. So what happens after the second
21 shot?

22 A. I don't know, I don't remember how many
23 shots. I don't count my shots. I just fire until he goes
24 down. So as soon as I saw him fall, I switched to the
25 other guy and fired till he fell too, because he was not

1 stopping he was still coming straight at me.

2 Q. Okay. Two shots to the guy on the right,
3 because that is how you were trained. You do a double tap.
4 You see him go to the ground. How does he fall to the
5 ground, if you remember?

6 A. He is coming forward, so he falls straight
7 on his face.

8 Q. Does his arms brace himself down at all?

9 A. I don't remember.

10 Q. Don't remember.

11 A. But I remember, if like you have forward
12 momentum you just kind of like crash forward. So that is
13 what happened and he kind of skidded a little. [Crying and
14 unintelligible words]

15 Q. Okay from the skidding or from what he was
16 saying?

17 A. Both.

18 Q. Did he say any words or anything?

19 A. Before he started running he said
20 something.

21 Q. Okay, what about after you shot him.

22 A. No.

23 Q. No, okay.

24 A. He was breathing after it happened.

25 Q. He was breathing after?

1 A. Yeah.

2 Q. Okay. And so while he fell to the ground,
3 the buddy or his friend to his right, so that would be the
4 guy to your furthest left.

5 A. My left, yes. Oh my God I can't stop
6 itching.

7 Q. What is he doing?

8 A. Still running. He is looking me straight
9 in the eyes. He is close enough I can see his eyes. He is
10 looking me straight in the eyes and he is running.

11 Q. Okay.

12 A. He was like this too. They were both like
13 this.

14 Q. Okay. So the distance between these two
15 guys, how close were they to each other?

16 A. Maybe four, three, four, or five feet.

17 Q. Three, four, five feet?

18 A. Close.

19 Q. They were close to each other and they are
20 both coming at you.

21 A. Yes.

22 Q. Okay. So the guy on your right falls,
23 falls onto the ground.

24 A. And then I kind of like had a moment where
25 I thought like, okay first threat is gone. Now I don't

1 have to -- like I can maybe like try not to hurt him so
2 bad, but at the same time I am fighting for my life. So
3 like I'm not gonna -- I'm gonna do what I have to do to
4 protect my life.

5 Q. Okay. So this other second guy, what does
6 he look like again?

7 A. White shirt, light clothes, they were both
8 white guys.

9 Q. Both white guys and he had a light or white
10 shirt on?

11 A. Yeah.

12 Q. Okay, did he have a hat, glasses, beard?

13 A. I don't remember, maybe a hat. They were
14 both very large and scary.

15 Q. Big guys, okay. So he's charging at you
16 still.

17 A. Mm-hmm.

18 Q. Just like his...

19 A. Just like his friend.

20 Q. Like his friend being shot two times. Now
21 as he is coming at you, what happens to him?

22 A. I shot him.

23 Q. You shot him. Do you remember where that
24 shot went?

25 A. I didn't even aim. I was panicking.

1 Q. Okay. Same thing with the light focused on
2 the body?

3 A. Yeah, it's like point shooting, do you know
4 point shooting?

5 Q. Mm-hmm.

6 A. So the whole thing went like this. I have
7 my weapon like this, and then he says I'm going to kill you
8 mother fucker, it went literally like pop-pop--pop. Just
9 like that.

10 Q. Okay, so...

11 A. Or no, wait. I think there were maybe more
12 shots, but there was a bigger gap between them. I don't
13 know.

14 Q. What do you mean by that?

15 A. I don't know. While I was firing at the
16 first guy, with my peripherals I was looking at the second
17 guy and I could tell he was not going to stop. When I
18 switched to him he was looking me dead in the eyes and he
19 still wasn't stopping.

20 Q. Okay, and you shot and that shot was one
21 time?

22 A. I don't know, it was less.

23 Q. What do you mean?

24 A. I shot him...[Crying].

25 Q. Less than the first guy?

1 A. [Crying] it took less for him to go down.

2 Q. Okay, and how did the second guy fall down?
3 Same way, face down and skid?

4 A. Um, yeah. Then when I went to help the
5 first guy he was like face down. I think somebody tried to
6 put him in that sideways position like for first aid. I
7 was like, I am trained in first aid and I actually remember
8 it. So I was like, that's not how you treat a gunshot
9 wound.

10 Q. Okay, so two shots, maybe another one for
11 the guy on the left. What did you do with the gun?

12 A. I tucked it in my back like in my
13 waistband. Then I rushed over to help him I was like, I
14 grabbed him from like behind the neck like this. I was
15 like come on buddy stay with me, why the fuck did you make
16 me do that. What the fuck. Stay with me.

17 Q. Mean time the gun is in your back waist.

18 A. Yeah, in my back waistband.

19 Q. So you are talking to him and you are
20 trying to render aid to the first guy.

21 A. So I got my hand behind his neck, I saw
22 some blood on his shirt so I -- I put pressure on. I don't
23 remember, I remember like pressure with my right hand, but
24 there is no blood on my hand so I don't know.

25 Q. And then what happened after that?

1 A. Some guy ran up behind me and tried to grab
2 my gun. Then five or ten people just pile on me and
3 started wailing on me. Saying fucking psycho, I am going
4 to kill you, you shot my friend, fucking kill you. They
5 kept saying I'm kill you and the guy is trying to yank the
6 gun out of my pocket. So I'm clutching it for dear life.
7 I just thinking that if they get my gun they are going to
8 kill me with it. I am getting beaten anyway. I'm thinking
9 oh shit, I am going to fucking die here. I'm not safe yet.
10 I'm still like that. So I am standing there, there are
11 people on top of me, some guys got a knee in my back, some
12 guys fucking wails on my arm, some guy is twisting my hand.

13 Q. So let me rewind you again. The first guy
14 on the right, you are holding him and you are trying to
15 apply pressure to the gunshot area. Which way are you
16 looking?

17 A. I am facing like down at him. My back is
18 this way. So I'm facing this way, my back is facing that
19 way, but I am looking down at him.

20 Q. So you are facing the opposite way the car
21 is?

22 A. No, I am looking -- yeah, yeah.

23 Q. Yeah, because your car is facing this way.

24 A. Maybe that way, maybe a little more north
25 or maybe more east.

1 Q. So when the two guys were charging at you
2 at your car, then you take your shots, do you remember
3 making any movements?

4 A. Movements?

5 Q. Yeah.

6 A. What do you mean?

7 Q. Like during the course...

8 A. Yeah, I stepped back. I didn't have time
9 to wheel backwards but I shuffled back. I think maybe
10 between the first and second shot, I don't remember but I
11 shuffled back a little bit. I'm trying to create more
12 space because they are coming right at me.

13 Q. Okay. So you are creating more space, and
14 then you realized what happened. Correct me if I am wrong,
15 okay. Then you tuck the gun in your waistband. Then you
16 go to the first guy, right? Is that right?

17 A. No, then I kind of freak out. Like I
18 started screaming, God why, God why.

19 Q. Then you're trying to apply pressure at the
20 same time, on guy number one. And so your back is -- let's
21 see...

22 A. Facing south

23 Q. Yes, you're towards -- what's that -- the
24 stadium area, the fields over here?

25 A. I don't know. If the fields are over here

1 my back is facing them, yeah.

2 Q. Okay. In this parking lot there is, I
3 think three rows. [Knocking on door] Come in. yeah, I'll
4 be right back.

5 [Crying -- 25:30 through 26.03]

6 Q. Okay, so your back is towards this way and
7 how many other -- what happens after that?

8 A. Some guy ran up behind me and tried to grab
9 my gun. He got his hand around it and I like reached and
10 pushed it down in my pants so he couldn't pull it out.

11 Q. How many people are around you?

12 A. Between five and ten maybe.

13 Q. Okay.

14 A. I'm on my knees, So I rolled backwards to
15 get his hand away from my gun. Then a bunch of people just
16 pile on and start wailing on me and kicking me. Saying I'm
17 going to kill you.

18 Q. Okay. So while you are being wailed and
19 kicked at, you said five different guys around you, and so
20 what position are you in?

21 A. I am like on my back trying to cover up
22 like this, with the gun in the back of my pants. Because I
23 shoved it down my pants so nobody can get it.

24 Q. All right, okay.

25 A. Because I honestly thought I was going to

1 die. I they got my gun [unintelligible] I was so scared.

2 Q. So how were you able to get out of the
3 wailing and kicking?

4 A. I fired another shot in the air and scared
5 them away.

6 Q. And how did you fire a shot?

7 A. The guy that tried to grab my gun I don't
8 think he was very big. So I was able to get it away from
9 him. My hand was firmly on it he only had like the bottom
10 or maybe the slide area, I don't know. But my hand was
11 firmly grasped. But he was just like -- at that point I
12 was only trying to prevent him from getting it, I wasn't
13 trying to draw it. I didn't want to draw it. I didn't
14 even want to use it anymore.

15 Q. So you have a firm grip along the handle?

16 A. Yeah. And it's in my pants.

17 Q. And he has a grip...

18 A. Some other part? Like he's trying to tug
19 it but he is not getting anywhere. More people are trying
20 to help him and I am getting more and more desperate. It's
21 obvious that I am going to lose because they are bigger
22 guys. I am getting wailed on and somebody's going to
23 eventually try to help them get my gun and kill me with it.

24 Q. Okay.

25 A. So eventually I just kind of like rolled

1 over and slipped it out of my pants. I could have at any
2 moment I didn't want to use it. I didn't want to shoot the
3 gun, I didn't want to kill anybody. So I take it out and I
4 just fire randomly in the air to get them to go away and
5 they all disbursed.

6 Q. And what position are you in?

7 A. Maybe kneeling maybe still on my back. I
8 am struggling to stand up there are people still like right
9 next to me.

10 Q. Okay, so you are kneeling or you are on
11 your back.

12 A. Yeah.

13 Q. And in order to get people away from you...

14 A. I fired in the air.

15 Q. You pulled the gun out and you -- how many
16 did you fire in the air?

17 A. One or two, like just enough to get them to
18 leave.

19 Q. Okay. And then did they leave?

20 A. Yeah.

21 Q. Okay.

22 A. Then at another point some guy like came up
23 behind me and tried to like take it again I think. And
24 then I think I might have fired another warning shot like
25 in the air or maybe I just swung it around and he saw it

1 and he started running. But he ran up and got his hand on
2 it.

3 Q. Okay. So you think, if you remember
4 correctly, there was two warning shots in the air? One for
5 the group that was around you to begin with.

6 A. Yeah. One or two, I don't remember.

7 Q. Okay. But then they disbursed.

8 A. Yeah.

9 Q. Okay, but then somebody else tried to take
10 it?

11 A. Same guy I think.

12 Q. As the first time?

13 A. Yeah. He runs up behind me, gets his hand
14 on it but I still have my hand firmly on it. So I swing
15 around, I don't remember if I fired a warning shot or if I
16 just like showed him the gun, but he ran away again. Then
17 some guy came out and he looked calm and like he understood
18 that I was just scared and trying to like get people off me
19 [unintelligible]. But he comes out like hey man, he was
20 like I can keep the gun, nobody is going to take it from
21 you just put it on the ground I'll make sure nobody takes
22 it. I said, oh my God thank you. So I just put it on the
23 ground.

24 Q. What did that guy look like?

25 A. He had maybe blondish reddish hair with a

1 comb over and beard and a dark flannel.

2 Q. Dark flannel. And where was that all at?

3 A. Right here.

4 Q. Is that still technically in the parking
5 lot?

6 A. Yeah, this is all gravel right here.
7 Here's the corner and here's like the fence, so yeah. The
8 stadium -- we're like right here in the corner. So I put
9 the gun right there I maybe. I put it behind him and I was
10 like okay, take it, you can take it, you can pick it up and
11 kill me with it, but I just don't want it anymore. I'm
12 scared.

13 Q. Okay. How did you get from this area to
14 over here?

15 A. Let's see -- because the first guy -- yeah,
16 because after I got piled and I fired the warning shots to
17 get free, I like ran over to the corner to kind of like
18 stand over in the corner.

19 Q. Okay. So you fired the warning shot,
20 people disbursed, and then you...

21 A. I get to high ground where I can see
22 everything in front of me and nobody can get behind me.

23 Q. Okay. Because I think it's elevated right
24 over there, isn't it?

25 A. Yeah, it is.

1 Q. That's why you went over there?

2 A. I think so, I don't remember. I was -- I
3 wasn't -- I needed to see everybody.

4 Q. Why did you think you needed to see
5 everybody?

6 A. Just assess more threats. Like if more
7 people are going to try to come and get my gun or come and
8 try to kill me. I still had it, I think I had it in my
9 back pants again at that time and I was just like ready for
10 anything, like what the fuck. [Inaudible whispering] then
11 the guy came I felt like I could trust him.

12 Q. Why did you feel like you could trust him,
13 and where did he come from?

14 A. Maybe the View, somewhere around here, I
15 don't know. But he a...

16 Q. What did he say exactly?

17 A. I don't remember, but he was like, hey man
18 I am not going to let anybody get your gun. Do you want to
19 give it to me or put it behind me? I'll make sure that
20 nobody takes it, and I was like thank you so much.

21 Q. Okay, and did you give it to him or did you
22 just...

23 A. I put it on the ground.

24 Q. Okay, so he didn't touch it or anything?

25 A. I don't know. Not to my knowledge, by then

1 I heard sirens and saw your car and started walking over to
2 you, like take me. I was like so relieved when you showed
3 up.

4 Q. So you felt relieved when I showed up
5 because during this time, from when you were at the house,
6 you just thought you were being attacked the entire time?

7 A. Yeah. I was scared for my life the whole
8 time. When you showed up like, no one else is going to
9 hurt me. [Unintelligible]

10 Q. Okay.

11 A. [Inaudible whispers]

12 Q. I'm old. [Unintelligible]

13 A. What do you think about how I handled it?

14 Q. Well, you had to do what you had to do, or
15 whatever. Everybody is in a different situation, right?
16 Everybody is going to have different type of experience.
17 Whatever you felt was most appropriate is what you did. I
18 just want to make sure that this is the exact story from
19 what you can remember. Is there anything else that you can
20 think of?

21 A. There is so much adrenaline, I can't
22 remember much. That's it to the best of my knowledge.

23 Q. When you got up to higher ground, what
24 happened there?

25 A. Like this guy just appeared out of nowhere.

1 Q. You hadn't seen him anywhere before?

2 A. No, but I wasn't paying attention to
3 anybody but people who were attacking me or aggressive.

4 Q. Okay.

5 A. I thought I might have recognized him, he
6 seemed like he -- like I could trust him. He seemed calm
7 and he seemed like -- I thought maybe he saw the whole
8 thing go down because he seemed like he was on my side. So
9 I just put the gun on the ground and that's all.

10 Q. And then when you put the gun on the ground
11 what did you do?

12 A. I heard sirens, saw your car and started
13 walking towards you.

14 Q. Okay, so you start walking this way and
15 then what happens?

16 A. You arrest me.

17 Q. Okay. What else can you remember?

18 A. I remember a girl crying, and I remember
19 somebody -- when I was trying to help the first guy there
20 was already somebody there helping him, a guy in a white t-
21 shirt with maybe some scruff or a beard.

22 Q. Going back to help the first guy?

23 A. The first guy. Yeah, so when I went up to
24 help the first guy, somebody was already there.

25 Q. Where did that person come from?

1 A. He was part of the mob that was trying to
2 attack us.

3 Q. So two guys attacked you, and the first guy
4 who you first thought to be your immediate threat was the
5 one you double tapped.

6 A. Yes.

7 Q. Then your focus gets switched to the guy on
8 the left.

9 A. Yes.

10 Q. He gets shot.

11 A. Mm-hmm.

12 Q. And by the time that you go to render aid
13 to the first guy, somebody is already trying to help.

14 A. Yeah. After they were both down I took a
15 second to search and assess, and I looked around the
16 parking lot. I froze for a second. That's when I thought
17 what just happened.

18 Q. Did you feel like you were still being
19 attacked although two people were already on the ground?

20 A. I felt like the immediate threat was gone
21 but there was still another threat out there that could
22 come at me.

23 Q. Okay, what were they saying to make it
24 sound like there was immediate threat there?

25 A. There wasn't another immediate threat.

1 That was the immediate threat. But these guys were
2 obviously already attacking us before, they were already
3 part of the group that was hitting us and calling us
4 pussies and saying they were going to kill us. So they
5 could at any moment decide to run at us because they were
6 all attacking us at one point.

7 Q. Okay. So after these two guys were shot,
8 who else attacked you?

9 A. The guy who came up and tried to snatch my
10 gun.

11 Q. Okay.

12 A. And then when I was on the ground fighting
13 for that, a whole bunch of people just jumped on me.

14 Q. Do you remember intention or specifically
15 shooting anybody besides these two?

16 A. Absolutely not.

17 Q. Okay.

18 A. No, never.

19 Q. Okay, when you were on your back or on your
20 knees for the warning shot, how close were people to you?

21 A. Right on me.

22 Q. Okay, right on you.

23 A. Yeah.

24 Q. So like hovering over you?

25 OFFICER HUNTER: Do you mind if I come back in

1 and talk to you real quick?

2 MR. JONES: Sure.

3 OFFICER HUNTER: Are you okay with that?

4 MR. JONES: Yeah, I prefer to talk to Mr. Keegan,
5 but that's all right.

6 OFFICER HUNTER: Can I talk to him and you, would
7 that work?

8 MR. JONES: Yeah.

9 OFFICER HUNTER: Is that okay Keegan, or were you
10 right in the middle of something.

11 BY OFFICER HUNTER:

12 Q. Had you ever been to that house before?

13 A. What house?

14 Q. The house where, this house.

15 A. Walked by it a thousand times but we never
16 been inside, never known anybody who lived there.

17 Q. Okay, so you had no contact with anybody in
18 there?

19 A. No.

20 Q. Okay, so I have a detective from the
21 Flagstaff Police Department who would like to do a gunshot
22 residue test on your hands.

23 A. Okay.

24 Q. Would that be okay? I mean obviously you
25 fired the gun and stuff like that, but would you mind if we

1 did that?

2 A. Yeah, please do.

3 Q. Okay. Let me go grab her she is right out
4 here, and she'll come in.

5 A. Am I doing the right thing? Should I call
6 my dad or an attorney?

7 OFFICER PARK: Man I can't give you legal advice,
8 you are doing what you want to do. Thank you so much for
9 your cooperation. The gunshot residue stuff, that's just,
10 it's all pieces of the puzzle that we all put together.
11 That's why, you know, when you see law enforcement
12 investigations -- like CSI might take an hour
13 [unintelligible]. But this stuff will all takes awhile.
14 We have step by step things that we need to do, as well.

15 MR. JONES: Do you think I am a bad person?

16 OFFICER PARK: No, I don't think you are a bad
17 person.

18 MR. JONES: [Crying] Thank you.

19 OFFICER PARK: Your welcome Steven. How much did
20 you drink today?

21 MR. JONES: Not even a sip of beer.

22 OFFICER PARK: Not even a sip of beer. Do you
23 think you have any alcohol in your system?

24 MR. JONES: Probably not. No.

25 OFFICER PARK: We have another little; it is

1 called a portable breath test. Can you do that for us too,
2 to see if there is any alcohol in your system?

3 MR. JONES: My mouth really hurts; can it wait?

4 OFFICER PARK: It can wait a little bit, but
5 sooner rather than later would be preferable. All you have
6 to do is -- it's like having a straw.

7 MR. JONES: I prefer not to do that, I'm sorry.

8 OFFICER HUNTER: Would you be willing to give us
9 a sample of your blood?

10 MR. JONES: No probably not.

11 OFFICER HUNTER: Okay. That's fine.

12 BY DET. COULES:

13 Q. Is it Steve or Steven?

14 A. Steven

15 Q. Steven, my name is Detective Coules, I'm
16 with the Flagstaff Police Department. They asked me to
17 come over here and do a gunshot residue swab on you. Are
18 you okay with that?

19 A. Yeah.

20 Q. So it's very, pretty easy. Basically I
21 just take these little vials here and open the up and just
22 going to rub them on your hand.

23 A. Okay.

24 OFFICER PARK: I am going to step out for one
25 second. Okay. I will be right back.

1 MR. JONES: Okay. Do you do the same thing over
2 here?

3 DET. COULES: I just have to fill out some
4 paperwork for just a few minutes and then I will get
5 going. Okay?

6 MR. JONES: Did you find my glasses? I can't
7 really see too well.

8 OFFICER HUNTER: I don't know. I am not out at
9 the scene. I just came from my house to the PD right here.
10 So I don't know if they found your glasses.

11 DET. COULES: Your report number?

12 OFFICER HUNTER: I don't know. I will go get it.

13 BY DET. COULES:

14 Q. Thank you. And it is Steven Edward Jones,
15 correct?

16 A. Yes, ma'am. So what are you doing?

17 Q. I am just filling out some paperwork that I
18 have to fill out with this gunshot residue kit. It's just
19 saying who I took it from. Who's hands I swabbed. 12-19-
20 1996 is your date of birth?

21 A. Yes, ma'am. I am sorry that you had to
22 wake up and come here.

23 Q. That's okay, are you left handed or right
24 handed?

25 A. Right handed.

1 Q. Can I look at your hands real quick? And
2 go ahead and turn those over. Have you washed your hands
3 at all since this happened?

4 A. No, I just wiped them on my clothes.

5 Q. Okay. Are you a full time student?

6 A. Technically not. I don't have enough
7 credits to be full time.

8 Q. Do you work anywhere?

9 A. No.

10 Q. Okay. What kind of hobbies do you have?

11 A. I like driving.

12 Q. Okay.

13 A. I like hunting. Playing guitar. I used to
14 do competition shooting but not anymore.

15 Q. Okay, when was the last time you did that?

16 A. Four, five years ago. I like working on
17 cars.

18 Q. And from the time that this happened when
19 you fired a gun to now, did you -- what did you do?

20 A. Um, like that affected my hands?

21 Q. Yeah, like did you immediately get
22 contacted by police?

23 A. From the time I fired the gun I tried to
24 help out a guy who was hurt on the ground. I got into a
25 scuffle on the ground. I cried a lot. My hands sweat all

1 over my clothes and I got blood on them. My hands like
2 numb right here. Is that something I should be worried
3 about?

4 OFFICER HUNTER: Yeah, we can go up to the
5 hospital and have them check it out. Can you still move
6 it?

7 MR. JONES: I don't think it is a big deal, but
8 does that like mean it is dying?

9 OFFICER HUNTER: No.

10 DET. COULES: What's your report time?

11 OFFICER HUNTER: [Unintelligible]

12 DET. COULES: I just need the time of the call.

13 OFFICER HUNTER: 1:20.

14 DET. COULES: And that's the -- what's today, the
15 10th?

16 OFFICER HUNTER: Friday, October 9th.

17 DET. COULES: It's October 9th today?

18 OFFICER HUNTER: October 9th.

19 BY DET. COULES:

20 Q. Okay Steven, did this happen outside,
21 inside?

22 A. Outside.

23 Q. And what was the type of firearm?

24 A. A Glock.

25 Q. A Glock, do you know what caliber?

1 A. forty caliber, Glock 22, a present from my
2 dad.

3 Q. Was it forty caliber ammunition?

4 A. Mm-hmm

5 Q. Do you by any chance know the manufacturer
6 of the ammunition?

7 A. I believe it was Federal jacketed hollow
8 point. Self-defense ammunition.

9 Q. And do you know about how many shots that
10 you fired?

11 A. I wasn't counting, but if I had to estimate
12 I would say between five and eight.

13 Q. Sorry, I am just going through some
14 instructions here. Can you do me a favor and grab that
15 other kit for me?

16 A. [Crying] What did you say your name was?

17 Q. Mine, Detective Coules.

18 A. Coules? Do you know what happened to the
19 other guys?

20 Q. I don't.

21 A. I'm really sorry that you had to come down
22 here.

23 OFFICER HUNTER: It's okay, it's okay though.

24 DET. COULES: I'm just -- for the record, I'm
25 just switching kits. I have to put clean gloves on prior

1 to, so that's what I am doing.

2 MR. JONES: Okay. Is Mr. Keegan still here?

3 OFFICER HUNTER: Yeah, he's outside he's filling
4 out some paperwork real quick. Did you know Keegan before
5 this?

6 MR. JONES: No, why?

7 OFFICER HUNTER: Oh okay, he's just been super
8 nice?

9 MR. JONES: Yeah. He's a good man.

10 OFFICER HUNTER: He is.

11 DET. COULES: All right, can I see your right
12 hand? So what I am going to do is rub this, see this
13 little black thing? I'm going to rub it right here on this
14 part of your hand. That doesn't hurt, right?

15 MR. JONES: No.

16 OFFICER HUNTER: Steven, are you a right handed
17 shooter or a left handed shooter?

18 MR. JONES: Right.

19 OFFICER HUNTER: You're right handed, okay. Did
20 you ever shoot with your left hand today?

21 MR. JONES: Not today, no. Not to the best of my
22 knowledge.

23 OFFICER HUNTER: Okay. Besides tonight, when was
24 the last time you shot?

25 MR. JONES: Maybe a year ago.

1 OFFICER HUNTER: Okay.

2 DET. COULES: Can you document the time for me
3 please?

4 OFFICER HUNTER: 4:33.

5 MR. JONES: The last time I shot seriously and
6 tried to like actually be accurate was probably four or
7 five years ago.

8 DET. COULES: Okay, now just flip your hand over
9 for me. I'm going to do this area and then I am going to
10 head over to here.

11 MR. JONES: Okay, are you a detective?

12 DET. COULES: I am.

13 MR. JONES: Do you like it?

14 DET. COULES: It is interesting.

15 MR. JONES: But do you like it?

16 DET. COULES: Well Yeah, I have been doing it for
17 a while, so...

18 MR. JONES: How long?

19 DET. COULES: I have been a police officer for
20 thirteen years.

21 MR. JONES: Wow.

22 OFFICER HUNTER: 0-4-3-3.

23 DET. COULES: Thank you. Okay, now let me have
24 your left hand.

25 MR. JONES: Do I need to keep this one safe or

1 dry?

2 DET. COULES: No you're okay. I am going to do
3 the same exact thing to your left that I just did to your
4 right.

5 MR. JONES: Okay.

6 OFFICER HUNTER: 4:34

7 DET. COULES: Thank you and just turn your hand
8 over here.

9 OFFICER HUNTER: And 4:34.

10 DET. COULES: Thank you. All right, all done.

11 MR. JONES: Okay.

12 BY OFFICER HUNTER:

13 Q. Steven, were you wearing any other clothes
14 other than those tonight?

15 A. No.

16 Q. You weren't? So just those?

17 A. Yeah, and my glasses.

18 Q. Do you know Shay's phone number?

19 A. It is in my phone. Do you know how those
20 guys are doing?

21 Q. I know that we have talked to Jake and I
22 think we are still looking for Shay.

23 A. I thought they were -- I know they are
24 okay. I saw them okay. I made sure they were okay before
25 I left.

1 Q. Okay, were they talking with Shay, talking
2 to the police officer then?

3 A. I don't know, I just saw them up and
4 walking around.

5 Q. Okay. Do you know if they got hit by
6 anybody?

7 A. I don't, but I heard one of them shout ow,
8 like he got hit.

9 Q. Do you know which one?

10 A. No.

11 Q. Where was he when you heard that?

12 A. Like right after I got punched. Like maybe
13 a couple seconds.

14 Q. Which was like right out there? Did you
15 guys ever try to go into that house?

16 A. No never, we didn't even step on their
17 property.

18 Q. Okay. Describe that for me, if you could.
19 Like what did you see.

20 A. Can I use your pen? So here is the
21 sidewalk, here's the curb, and here is the road.

22 Q. Okay.

23 A. So here's their fence, like black metal
24 fence and it goes on like that. Then they have a barbeque
25 here, a walkway here, and some chairs over here.

1 Q. Okay.

2 A. And we were right here on the sidewalk, we
3 never went past the fence, we never, like we never tried to
4 go into the door or anything.

5 Q. Okay, can you describe how the house was
6 when you got there, regarding what you could see and hear
7 and stuff?

8 A. Yeah, like muffled music, muffled voices.
9 Like probably a party.

10 Q. Okay. Were any of the windows open?

11 A. No, blinds closed too.

12 Q. Windows and the blinds were closed. What
13 about the door?

14 A. Locked.

15 Q. How do you know it was locked?

16 A. Well I don't, but like I imagine, it was
17 closed.

18 Q. Okay. So the door was closed.

19 A. Yeah, but if the blinds are drawn then it's
20 probably locked.

21 Q. Okay.

22 A. Both doors, there are like two doors.
23 There is one here and one here.

24 Q. Which one did the people come out of?

25 A. I don't know. I wasn't even looking; I was

1 looking at the stars.

2 Q. Okay. So about how far -- when those guys
3 came out, about how far away did you go before you got hit.

4 A. We were already walking away when they came
5 out and started harassing us, and pushing us, and telling
6 us they were going to kill us. We were probably in the
7 middle of the street walking towards the parking lot.

8 Q. Okay.

9 A. Then they all came out of the house and
10 like followed us.

11 Q. Okay. Do you mind if we take some pictures
12 of your injuries on your head, face, hands?

13 A. Yeah.

14 Q. You do mind?

15 A. No, no, go ahead.

16 Q. You allow?

17 A. I allow you.

18 Q. Okay, thank you.

19 A. Can Mr. Keegan come in here?

20 Q. Yeah, he's working on something for us
21 right now and then he will come in real quick. He's right
22 here though, but he is working on some paperwork for us
23 that we require.

24 A. Okay.

25 Q. We are going to wait on a camera. Is that

1 blood on your knee there?

2 A. Uh, I think so, yeah.

3 Q. Are you injured any place else?

4 A. Not to my knowledge.

5 Q. Not to your knowledge, okay.

6 A. My back is kind of sore from where the knee
7 was, but it's not like injured.

8 Q. Okay. So do you have your keys with you,
9 can I see it real quick?

10 A. I do.

11 Q. Do you always keep it in that right front
12 pocket there?

13 A. Not usually.

14 Q. Okay. Can I see your key FOB?

15 A. Yeah. That is always in my left back
16 pocket.

17 Q. Okay, so the key FOB that gets you into
18 your car is always in your left back pocket?

19 A. Yeah, the keys are usually clipped with a
20 carabiner or something right on my belt.

21 Q. Okay, were you wearing a belt tonight?

22 A. No.

23 Q. Okay.

24 A. So those were in my pocket tonight.

25 Q. Okay. How accurate do you think your shots

1 were if you had to guess?

2 A. Not accurate at all.

3 Q. How come?

4 A. I was panicking, scared, and I couldn't see
5 because my glasses were off. It was dark and I was
6 shooting fast.

7 Q. Okay. Outside of them saying those things,
8 did anybody else present with a weapon?

9 A. A weapon?

10 Q. Yeah.

11 A. I think one guy may have had a rock or a
12 beer bottle or something that he was swinging but nobody
13 else had a gun.

14 Q. Who was that and where did that happen at?

15 A. It was in the street, when they were
16 chasing us in the street. Just some guy in the mob, there
17 were like ten or twelve of them.

18 Q. Okay. And you didn't know any of those?

19 A. Not a single guy. They just came out of
20 nowhere. They were big and saying they were going to kill
21 me and I was like no.

22 Q. Okay. You need to go the bathroom or
23 anything?

24 A. No.

25 Q. No, okay. Just that one sip of alcohol

1 tonight?

2 A. Yeah.

3 Q. That was it?

4 A. Yeah.

5 Q. What time do you think you guys got to that
6 apartment or the house?

7 A. Maybe one o'clock, I'm not sure. I didn't
8 look at the time.

9 Q. How long do you guys think -- I'm sorry,
10 what time did you guys leave to go to your friend's house
11 over at the Grove?

12 A. Maybe 11:30, 12:00.

13 Q. 11:30 or 12:00 so you left to go to the
14 Grove?

15 A. Yeah.

16 Q. What time do you think you got to the
17 Grove?

18 A. Maybe 11:30 or 12:00 we were right there
19 basically.

20 Q. Okay. What was your intent when you guys
21 went over to the Grove?

22 A. To hang out at our mutual friend's house.

23 Q. Who is that?

24 A. I don't know, I didn't know her. It was a
25 friend of one of the guys. He said, yeah they are just

1 hanging out playing guitar hero, let's go hang out with
2 them.

3 Q. How long do you think you guys were at the
4 apartment?

5 A. I don't know, maybe forty-five minutes to
6 an hour.

7 Q. Forty-five minutes to an hour. Did you
8 guys ever figure out what happened to Hunter?

9 A. No. We were trying to get in touch with
10 him when those guys jumped us. Do you know how those guys
11 are doing, the big guys that got hurt?

12 Q. I do. I know that three are in the
13 hospital and one has passed away. I told you I wasn't
14 going to lie to you.

15 A. No [Crying and heavy breathing] Three
16 people are in the hospital?

17 Q. Three people in the hospital and one has
18 passed away.

19 A. [Unintelligible crying] I was just trying
20 to walk home.

21 Q. It's okay.

22 A. Can I talk to Mr. Keegan?

23 Q. To who? Mr. Keegan, okay let me go get
24 him.

25 A. [Crying]

1 Q. I don't know where Keegan is right now. He
2 will be back. I will let you talk to him okay.

3 A. [Hysterical crying]

4 Q. Do you need a tissue, Steven?

5 A. No.

6 Q. You don't? Okay.

7 A. [Hysterical crying] I didn't want to -- I
8 didn't even know them. Why, why would they do that.

9 [Hysterical crying]

10 Q. Steven, it is going to be okay, okay?
11 Steven take a sip of water, take a sip of water, okay.
12 Take a sip of water. I will get Keegan back in here, okay.
13 I told you I wasn't going to lie to you, right? So I mean,
14 I'm telling you the truth. So I've told you what I know
15 when you asked. So, I don't know where your glasses are,
16 so.

17 A. Thank you.

18 Q. Your welcome.

19 A. I shouldn't be alive.

20 Q. No, don't say that Steven.

21 A. I shouldn't be alive. I should have just
22 let them kill me.

23 Q. Lots of things happened really, really
24 fast, it sounds like. Really, really, really fast. So...

25 A. I should have let them kill me. [Crying]

1 Q. No.

2

3 [END RECORDING - FILE #2]

4

5 FILE #3

6 A. [Crying] I don't know what to do, I have
7 never felt like this.

8 Q. Okay.

9 A. What do I do?

10 Q. How do you feel?

11 A. I feel worthless.

12 Q. Yeah. It is a lot to go through for an
13 eighteen-year-old young man. I mean there was a lot. It
14 started out with guitar hero earlier in the evening, didn't
15 it?

16 A. We were just looking at the stars.

17 Q. Yeah.

18 A. [Crying]

19 Q. Did you eat dinner tonight?

20 A. No.

21 Q. You didn't eat dinner tonight. When was
22 the last time you ate?

23 A. Six.

24 Q. Six? Well that's dinner. What did you
25 have for dinner or what did you eat at six o'clock?

1 A. A chicken sandwich.

2 Q. Chicken sandwich from where?

3 A. The Hotspot.

4 Q. The Hotspot, over at the main union. Who
5 did you go over there with?

6 A. Fraternity brothers.

7 Q. Fraternity brothers?

8 A. Well I'm not a brother, I'm just...

9 Q. Sure a pledge, they're still your brothers,
10 I mean.

11 A. Fraternity friends. I have an interview.
12 You have to interview with fraternity guys and I was
13 interviewing with them.

14 Q. Okay. Did you -- are Mike -- are they part
15 of Sigma Chi?

16 A. Yeah. They are pledges like me.

17 Q. Okay. So Mike and Shay [sic] are both, or
18 Mike and Jake, or Jake and Shay, sorry two first names Jake
19 Mike, right first and last. Jake and Shay are both
20 pledging the same fraternity as you?

21 A. Yeah.

22 Q. Okay. How long have you known those two
23 guys?

24 A. Since we moved up here.

25 Q. How did you meet them?

1 A. At rush, rush week.

2 Q. Oh so just recently. Okay.

3 A. They are the only people really that have
4 been nice to me since I moved up here. Only people who
5 showed any compassion toward me.

6 Q. Okay. How did you end up deciding to
7 pledge Sigma Chi, what was your thought process for that?

8 A. Because I felt loved, I felt like I had
9 found a home away from home.

10 Q. Okay. How did you end up meeting those
11 guys?

12 A. I just went to their barbeque at Rush Fest,
13 figured I would check it out.

14 Q. And they -- you kind of integrated into --
15 like wow man those guys are pretty...

16 A. I started talking to them. They were
17 really solid, genuine, honest guys who I thought I could
18 come to love.

19 Q. Okay. Did you know anybody in that
20 fraternity?

21 A. No.

22 Q. How did you hear about their barbeque?

23 A. I went to Rush Fest and they gave me a
24 flyer.

25 Q. Okay, where is Rush Fest at. I haven't

1 heard of it.

2 A. The HLC.

3 Q. The HLC. Why them, did you get a Rush from
4 anybody else?

5 A. I wasn't interested in anybody else because
6 they were all more interested in partying and girls. These
7 guys actually support each other and care about each other.
8 They pride themselves -- like their most prideful event is
9 when they talk to each other about their problems, not
10 parties, so I felt like I belonged there.

11 Q. Okay. Have you ever talked to anybody
12 about any problems that you have been having here, like a
13 counselor or anything?

14 A. No. I haven't been having a lot of
15 problems here, I just felt lonely and you know, kind of
16 like nobody liked me.

17 Q. Okay.

18 A. Then I found those guys and I found my
19 home. Like I had tons of friends and we were hanging out
20 all the time and it was like high school.

21 Q. Okay. Did you have any friends from high
22 school that came up here as well?

23 A. No.

24 Q. You didn't?

25 A. Not that I was like friends with.

1 Q. Okay. How was -- I know that you were at
2 that coop or the homeschool coop charter school. Did you
3 have any friends there?

4 A. Yeah, yeah a few.

5 Q. Okay. Did anybody go to college?

6 A. Not to my knowledge. I didn't keep in
7 touch with them.

8 Q. Okay. When did you graduate from there?

9 A. I didn't, I graduated from homeschool.

10 Q. Okay.

11 A. [Unintelligible]

12 Q. Okay. So just like this past May is kind
13 of when you finished up your studies for homeschool?

14 A. I just got out of high school.

15 Q. Okay. When you applied for NAU, what did
16 you -- did you have to take an ACT or SAT?

17 A. SAT.

18 Q. How did you do on that one?

19 A. Pretty good.

20 Q. What did you end up getting?

21 A. Eighteen hundred.

22 Q. Eighteen hundred on your SAT, okay. Did
23 you have any other offers to go to any other school?

24 A. Yeah, I got into ASU and [unintelligible].

25 Q. Why NAU?

1 A. Well, it's just the right distance from
2 home where you can back whenever, but it is not right
3 there. It is so beautiful up here, the mountains and the
4 trees. I just thought it would be very peaceful and when I
5 took the tour, they sold me on the tour.

6 Q. Nice. What um -- I mean you mentioned you
7 enjoy outdoor hobbies and things like that, what do you
8 typically hunt when you go hunting?

9 A. I don't really go hunting that often, but I
10 still like it, like the last time we went hunting was with
11 my dad and my uncle and we hunted duck.

12 Q. Okay. Where was that at?

13 A. New River, Arizona.

14 Q. Are you from that -- where is your home at?

15 A. Glendale.

16 Q. Where is that at?

17 A. Northwest Phoenix.

18 Q. Northwest Phoenix?

19 A. By Surprise and Peoria.

20 Q. Okay. Are you further north than Peoria?

21 A. No, we are east and west.

22 Q. You are east and west of Peoria?

23 A. Sister city.

24 Q. Okay. What um -- so last time you went
25 hunting, how long ago was that?

1 A. A year or two.

2 Q. Like a year or two ago. When you shoot in
3 your competitions, when was your last?

4 A. Five years ago.

5 Q. So you were a youngster then, only
6 fourteen?

7 A. Yeah.

8 Q. How long have you been shooting for?

9 A. Since my dad could teach me.

10 Q. You don't remember?

11 A. Maybe eight or nine.

12 Q. Eight or nine.

13 A. He likes having me be responsible with
14 firearms and respect them. I know the core safety rules.
15 He is an NRA instructor and he taught me how to defend
16 myself and when to defend myself. We did some long range
17 shooting and he was really into it.

18 Q. What was your competition like? Was it a
19 league or what? I don't know anything about shooting...

20 A. It was a like courses. They would set up
21 square targets and you would have to run through the
22 courses and do it as quick as you could.

23 Q. Okay, did they have like magazine exchanges
24 and things like that?

25 A. Yeah.

1 Q. Okay. Did you ever win any of those?

2 A. I did all right.

3 Q. You did all right, nothing -- how old, so
4 you were -- four, or five years ago you would have been
5 fourteen? Fourteen years old? Did you compete a lot?

6 A. No, it was just on Sundays, like amateur
7 competition.

8 Q. Okay, what gun was yours?

9 A. It was another Glock 22, a different one.

10 Q. You have a fancy for the Glock?

11 A. It's just what I am used to. I'm not like
12 super into like what kind of gun it is, I am just like; it
13 was good to get out with my dad.

14 Q. Yeah. Do you own or have any other guns up
15 here?

16 A. No.

17 Q. No? Just the Glock?

18 A. I wasn't even going to bring that.

19 Q. Okay. Let me see if Mr. Keegan is back, he
20 should be right there. Is Mr. Keegan back? Do you mind if
21 we take some pictures real quick? You do mind or you
22 don't?

23 A. No I don't mind.

24 OFFICER HUNTER: Oh, okay. Thank you sir, can I
25 have that marker? Today is October 9th, correct?

1 OFFICER PARK: That is correct.

2 OFFICER HUNTER: And what time do you have?

3 OFFICER PARK: I currently have 4:53

4 BY OFFICER HUNTER:

5 Q. All right Steven, can I have you stand up
6 right here against the wall? I need a white background. I
7 need you to hold this. I am going to take a bunch of
8 photographs. Okay? I am going to take one from far, I
9 need to move this back a little bit. You don't mind if I
10 take your picture?

11 A. No.

12 Q. We will start from the top down. Keegan
13 can I get you to hold this on that side? Can you turn your
14 head this way so I can get this? Can we get his lip? Just
15 look straight ahead.

16 A. Knocked out my bridges.

17 Q. Your teeth are knocked out, or your bridges
18 are? Can I have you hold it underneath there Keegan? Can
19 you lower it a little bit below his teeth too? All right.
20 Can I take a look at your hand there? And then if we can
21 get -- Is that getting any better?

22 A. No, it is still numb.

23 Q. Were any of the injuries, you have an
24 injury here, on your lip and there. Were any of those...

25 A. My heads got a couple.

1 Q. You got some on the back of your head? Can
2 I get you to turn around? Actually, let me take some
3 pictures of your lower body. You've got some blood there.
4 Okay. Can I have you turn around real quick, Steven.

5 A. Face the wall?

6 Q. Yeah, just face the wall. Put your head up
7 straight if you could. Can you part your ton of hair?

8 A. There's one right here, there is a lump
9 like that right there.

10 Q. Do you know how that occurred?

11 A. It was either when I was getting piled on,
12 on the ground.

13 Q. Keep that right there, Steven.

14 A. Yeah, this was probably when I was getting
15 piled on, on the ground. Some guy kicked me when I was
16 down.

17 Q. Okay. Do you have any other injuries that
18 you know of?

19 A. No.

20 Q. Okay. You got some blood on your shirt, do
21 you know if that is yours?

22 A. I think it might be.

23 Q. Let me try to get a close up of that. Can
24 you put that back in there?

25 OFFICER PARK: Yeah.

1 Q. Lift it, yeah right there.

2 A. I had my hands like [inaudible].

3 Q. Let me get a close up of his torso area.

4 OFFICER PARK: You said that you were on your
5 knees. Do you think you may have scraped your knees at
6 all?

7 A. I think so.

8 Q. Can I have you lift up your pant leg?

9 A. Yeah.

10 Q. Or if you feel comfortable, taking them
11 down.

12 A. I don't think they are going to come up.

13 Q. Would you mind taking them down? Do you
14 feel comfortable? Do you have [unintelligible] on?

15 A. It's cold.

16 OFFICER PARK: Yeah, they are a little scuffed
17 up.

18 Q. Can I have you face -- turn towards me,
19 there you go. Okay pull your pants back up.

20 [unintelligible talking between officers] Keegan said that
21 you were kicked. Do you feel any pain in your chest, arms,
22 ribs?

23 A. I do have pain, but I think it is just from
24 being so nervous and scared.

25 Q. Can you put your -- actually hold your hand

1 out like that, both hands?

2 A. There is a lump right here too.

3 Q. Can you lift up your sleeve?

4 A. Oh shit.

5 Q. Can you take your shirt off? Let's do
6 that. Start with this right arm real quick -- actually
7 stand up against the wall real quick, I am just going to
8 take a couple pictures. Hold out your right arm, there you
9 go. Can you hold it out straight towards me? Just like
10 that, there you go. Put this in and hold just like that
11 for me. Let's do that abrasion. Now the chest, this arm
12 straight out if you can towards me. Can you hold it down
13 like that? There you go. Turn around so I can get to your
14 back.

15 A. What's it look like?

16 Q. There are some red abrasions, there on your
17 right shoulder, or contusions I guess. I don't know what
18 they would be called. Okay, thank you. You can put your
19 shirt back on.

20 MR. JONES: Mr. Keegan.

21 OFFICER PARK: I'm sorry, I didn't hear.

22 MR. JONES: He said one of them died. [Crying] I
23 wish you had shot me.

24 OFFICER PARK: Why is that?

25 MR. JONES: Because I feel so bad. [Inaudible] I

1 should have let them kill me. They should have fucking
2 killed me. I should have just gave up and let them beat me
3 to death. [Crying] Oh God, God, God. Why would they do
4 that. Why did they make me do that? I didn't even know
5 them. Why would they do that, why? I just wanted to go
6 play guitar hero. [Pause 19:39 through 20:22] Do you think
7 that I am a bad person?

8 OFFICER PARK: No sir, I don't. Personally I am
9 happy I had the opportunity to speak with you. Because you
10 explained what your version of the events are and that is
11 all the information that we have.

12 MR. JONES: If they did what I said, [inaudible]?

13 OFFICER PARK: I can't put myself in your shoes
14 because it is hard for me to grasp what you were feeling at
15 that time, you know. What you are going through could be
16 completely different than how I feel towards something. I
17 can feel one thing that you would never experience in that
18 way. In our heart we all have a lot of things that guide
19 our perception and unfortunately, if that is what you
20 perceived, then that is what you perceived. I can't
21 speculate, you know. I can't speak for you. I can't...

22 MR. JONES: Would you have done what I did?

23 OFFICER PARKS: I don't know. I have never been
24 in that type of situation. I couldn't say yes, I couldn't
25 say no.

1 MR. JONES: I shouldn't be alive. I shouldn't
2 be. What is going to happen.

3 OFFICER PARKS: I have no idea right now. I'm
4 still waiting, I think they are -- I know whatever testing
5 -- as far as the gunshot residue. There are a lot of
6 agencies involved right now. So there is NAU, there is
7 Flagstaff Police Department, there is the sheriff's office.
8 And when you have a multi-agency response to something, it
9 usually takes quite some time for all of us to get our
10 stories together. Build the congregates of the
11 investigation. So right now we are at the very, very
12 forefront of that.

13 MR. JONES: People must hate me now. I feel
14 sick.

15 OFFICER PARK: When was the last time you ate?

16 MR. JONES: Six.

17 OFFICER PARK: 6:00PM? What did you have?

18 MR. JONES: Chicken Sandwich. I'm starved.

19 OFFICER PARK: [Unintelligible]

20 MR. JONES: [Unintelligible]

21 OFFICER PARK: [Unintelligible] I don't
22 understand the question.

23 MR. JONES: So what happens now, just kind of
24 like throw me in jail somewhere and forget about me?

25 OFFICER PARK: No, we don't do that to anybody.

1 [Unintelligible] Until we hear other people's side of the
2 story, I can't say what's going to happen after this. I
3 don't know.

4 MR. JONES: Okay.

5 OFFICER PARK: How is your tooth by the way?

6 MR. JONES: It's starting to fall out.

7 OFFICER PARK: [Unintelligible]

8 MR JONES: It's swollen.

9 [Unintelligible conversation]

10 MR. JONES: ...you did a presentation in the
11 lobby of my dorm.

12 OFFICER PARK: I probably did, I do those quite a
13 bit. What presentation was that?

14 MR. JONES: How not to get your bike stolen.

15 OFFICER PARK: Oh Yeah, that is one of the first
16 one's I did.

17 [Unintelligible conversation]

18 MR. JONES: All the girls had a crush on you.

19 OFFICER PARK: So I hear.

20 [Unintelligible conversation]

21 MR. JONES: Are you supposed to be off work right
22 now?

23 OFFICER PARK: No, this is my schedule, my
24 regular time of working. I like to pick crazy hours.

25 MR. JONES: Why?

1 OFFICER PARK: Ah -- it's different -- different
2 types of calls. Daytime is like [unintelligible].

3 MR. JONES: So you like interesting calls?

4 OFFICER PARK: Ah - not so much interesting
5 calls, it's friends work this shift, my closest friend has
6 the same shift. It's kind of like a -- we kind of rotate.
7 [Unintelligible] next semester, or summer we will draw a
8 day shift technically.

9 MR. JONES: What would you do if you say a couple
10 of big dudes beating up on your friends? How would you
11 react?

12 OFFICER PARK: That is a good question, because
13 my friends are pretty much all cops. Right, so that's why
14 aid earlier when I was thinking it's hard for me to put
15 myself in your shoes. Because you hang out with your types
16 of friends and I hang out with my types of friends, and all
17 my types of friends are police officers. And I know
18 [unintelligible] -- I guess each person that I know and
19 what they can and can't do.

20 MR. JONES: So you know if they can't fight?

21 OFFICER PARK: Yeah, I kind of have similar
22 background knowledge with that.

23 MR. JONES: I can't fight.

24 OFFICER PARK: You can't fight?

25 MR. JONES: Not at all.

1 OFFICER PARK: Baseball [unintelligible] You are
2 pretty athletic though, right?

3 MR. JONES: I can bat, and run fast. But I'm not
4 very strong at all.

5 [Unintelligible conversation]

6 MR. JONES: Can I go to the bathroom?

7 OFFICER PARK: I can certainly check on that.

8 MR. JONES: [Inaudible]

9 OFFICER PARK: Yeah, just give me a second.

10 Silence 00:34:07 through 00:40:28.

11 OFFICER PARK: Steven?

12 MR. JONES: [Unintelligible] bathroom?

13 OFFICER PARK: Yep, we're still checking on that.
14 We have to check with [unintelligible], I'm sorry.

15 MR. JONES: Okay.

16 OFFICER PARK: Hopefully it's not an emergency.

17 MR. JONES: Okay.

18 OFFICER PARK: On a scale of one to ten, how bad
19 is it?

20 MR. JONES: Seven or eight.

21 OFFICER PARK: Seven or eight, okay. As soon as
22 we can we'll -- we just made the phone call. We got to
23 follow the rules too, I'm sorry.

24 MR. JONES: That's okay.

25 OFFICER PARK: Do you remember your average?

1 MR. JONES: Hmm?

2 OFFICER PARK: Batting?

3 MR. JONES: 2-4-5.

4 OFFICER PARK: 2-4-5? Where were you in the line
5 up?

6 MR. JONES: Middle.

7 OFFICER PARK: Middle?

8 [Unintelligible conversation]

9 OFFICER PARK: How was the team do last season?

10 MR. JONES: Shitty, we lost like every game.

11 OFFICER PARK: Really? That's all right.

12 MR. JONES: I played just because I like playing,
13 not because I was going to get a scholarship or wanted to
14 be a champion, I just wanted to play.

15 OFFICER PARK: Why did you pick NAU?

16 MR. JONES: Because it is beautiful.

17 OFFICER PARK: Absolutely.

18 MR. JONES: And it is just the right distance
19 from home.

20 OFFICER PARK: Yeah? That was the same thought
21 process, because my folks were down there, still. Except
22 that I started in 2007 [inaudible].

23 MR. JONES: I was actually going to leave; last
24 week. I was going to drop out. But then I found Sigma
25 Chi.

1 OFFICER PARK: Nice.

2 MR. JONES: And ah -- I should have left.

3 OFFICER PARK: Isn't that ironic? Well you know
4 man, you're going to think back to decisions that you made.
5 I mean it happens to all of us, about how we could have
6 done something a little bit differently. [unintelligible].
7 Just how it goes.

8 MR. JONES: [Inaudible] I'm too tired to sit
9 right.

10 OFFICER PARK: In here? If you feel like you
11 want to put your head down on the table and just take a
12 little cat nap, if you want to sit in that chair your more
13 than welcome. I'm just waiting for that phone call to come
14 in.

15 MR. JONES: I just really have to pee.

16 OFFICER PARK: I know.

17 [Silence from 43:50 through 45:58]

18 OFFICER PARK: [Unintelligible] for the walk back
19 at least.

20 MR. JONES: Okay.

21 OFFICER PARK: We'll be right back, okay?

22 MR. JONES: Okay.

23 [Silence from 46:10 through 48:02]

24 OFFICER HUNTER: Steven, do you have blood on
25 your hands?

1 MR. JONES: I think so, yeah.

2 OFFICER HUNTER: Can I take a look at that?

3 MR. JONES: Yeah.

4 OFFICER HUNTER: Is that your blood?

5 MR. JONES: I don't know.

6 OFFICER HUNTER: Okay. That's what that is?

7 Okay. Was that there or -- that's not from that gunshot
8 residue test that they took, was it?

9 MR. JONES: No.

10 OFFICER HUNTER: Okay. So it was there before?

11 MR. JONES: Yeah.

12 OFFICER HUNTER: I'm just making sure. Do you
13 need anything to eat?

14 MR. JONES: I'm okay, thank you.

15 OFFICER HUNTER: You're okay? And you got enough
16 water?

17 MR. JONES: Yeah.

18 OFFICER HUNTER: And you went to the bathroom?

19 All right, we're waiting on another detective, and we are
20 going from there. So, Mr. Keegan's going to stay in here.

21 MR. JONES: Okay. [Inaudible]

22 BY OFFICER PARK:

23 Q. You done with this? What was this from?
24 Which one's this one?

25 A. Um, he wanted me to explain how we weren't

1 on their property.

2 Q. Oh, Okay.

3 A. That's the sidewalk, and then...

4 Q. This is the sidewalk?

5 A. Yeah.

6 Q. The north one? The south one? This is the
7 parked car?

8 A. No, no, no. That's the sidewalk and that's
9 me.

10 Q. This is you?

11 A. Yeah.

12 Q. And this is the house? Or that's the
13 parking lot?

14 A. Street.

15 Q. Okay. You remember which place you were
16 out at the Grove?

17 A. No.

18 Q. You know the address?

19 A. Some girl's place.

20 Q. You know her, you don't know her name?

21 A. I remember one of them was named Rachel.

22 But like I wasn't having very much fun. [Inaudible].

23 Q. Okay, gotcha. The road that ah -- so
24 Franklin, that road goes straight through the Grove? Is
25 that house along that road, or is it some other road?

- 1 A. It was one of the apartments.
- 2 Q. One of the apartments? Okay. When you
- 3 guys -- why did you guys leave the party?
- 4 A. Um, we were bored.
- 5 Q. Bored. Is that where the -- did you say
- 6 rock band or guitar...
- 7 A. Guitar Hero.
- 8 Q. Guitar Hero? Was that where you guys were
- 9 playing, at the Grove?
- 10 A. Yeah.
- 11 Q. Okay. Which instrument did you select?
- 12 A. The guitar.
- 13 Q. The guitar?
- 14 A. I should have brought my guitar up here
- 15 with me. [Inaudible]
- 16 Q. Which gaming system is that with?
- 17 A. [Inaudible]
- 18 Q. Okay. So it is only the guitar, you don't
- 19 have a microphone? You don't have the drum set?
- 20 A. Just the guitar.
- 21 Q. Just the guitar, okay. So you got bored
- 22 with that and that is when you guys left?
- 23 A. Mm-hmm.
- 24 Q. And you stopped in from of the house
- 25 contemplating what to do?

1 A. Yeah.

2 Q. He was on his phone.

3 A. Yeah.

4 Q. What was his argument with his girlfriend
5 about?

6 A. That's not who was on the phone.

7 Q. Oh, okay.

8 A. Shay was on the phone trying to call Hunter
9 in front of the house. Jake was arguing with his
10 girlfriend downstairs back at the apartments.

11 Q. Okay.

12 A. Then we saw him on the way out and he came
13 with us.

14 Q. Oh, okay.

15 A. He was really bummed and I was trying to
16 cheer him up. And the all the sudden I got punched in the
17 face.

18 Q. Hmm. Was it like a break up or something?

19 A. I don't know, yeah. I was pointing out the
20 constellations to him, because my dad likes that stuff.

21 Q. Do you know much about constellations?

22 A. I know a lot of them and then their stars.

23 Q. I have to cheat and use -- it's called a
24 Sky View, that app. That's what I have to do.

25 A. That's cool. [Yawning]

1 Q. It is?

2 A. Yeah. [Unintelligible]

3 Q. Mm-hmm. Now what was the name of the
4 fraternity that you guys -- the house that you stopped in
5 front of?

6 A. Delta Chi.

7 Q. Delta Chi? Did they have some sign out
8 there that indicates they were Delta Chi, or how did you
9 know it was Delta Chi?

10 A. On the way to the apartment we were walking
11 past it hours earlier.

12 Q. Okay.

13 A. I saw a couple Delta Chi's there.

14 Q. So you recognized some people in the Delta
15 Chi?

16 A. The Delta Chi I was friends with, I said
17 hey. I was like what's up and kept walking.

18 Q. Oh, okay. So do you know what time that
19 was when you, when you...

20 A. 11:30, 12:00, maybe in or around there.

21 Q. Oh, okay. So 11:30, 12:00 you're on that
22 sidewalk, but you're walking east toward the Grove to go
23 play Guitar Hero.

24 A. Mm-hmm.

25 Q. And you see on of your buddies who's in the

1 Delta Chi.

2 A. We weren't buddies, like acquaintances.

3 Q. Just acquaintances, okay. Then you say hi
4 to him. Was he there when you guys came back the second
5 round?

6 A. No, he wasn't but another guy was.

7 Q. What was that guy's name?

8 A. [Inaudible]

9 Q. [Inaudible]

10 A. [Unintelligible]

11 Q. How many people were at that party do you
12 think? Because you said it was loud.

13 A. I'd say between thirty and forty.

14 Q. thirty to forty people? Anybody that you
15 recognize at all?

16 A. I have seen some of the guys that were
17 trying to hurt us.

18 Q. And this place had the grill behind the
19 fence?

20 A. It was totally bare and the blinds were
21 closed.

22 Q. Okay.

23 A. And they obviously wouldn't want anybody to
24 know they were having a party.

25 Q. Okay. Did you -- you said you didn't want

1 to go to their party?

2 A. We didn't.

3 Q. Nobody wanted to go?

4 A. As pledges we are discouraged from going to
5 parties with other fraternities.

6 Q. Okay.

7 A. And also, the other guys have a reputation
8 for being violent.

9 Q. Mm.

10 A. So...

11 Q. Did those guys think maybe that you guys
12 wanted to get into their party?

13 A. Probably. They probably thought we were
14 some stupid freshman trying to get into their party.

15 Q. Did you guys say anything to them, at all?

16 A. We didn't say a damn word to them until
17 they started coming out.

18 Q. Not a word. You just had somebody on the
19 phone and then they just started coming out?

20 A. What happened -- what probably happened
21 was, Shay was on the phone and he's mumbling to himself.
22 Like pick up your phone, you asshole. What the fuck, you
23 left us. And then they inside heard him saying that and
24 thought he was talking to them.

25 Q. Okay.

1 A. That is probably what happened, I have no
2 idea.

3 Q. So you're sure you and Shay didn't want to
4 go to the party?

5 A. No. We had no interest. We were walking
6 away from the party when they came out and tried to fight
7 us.

8 Q. Gotcha. So you said it was discouraged,
9 that if you were to go to another fraternity, what would
10 happen?

11 A. Nothing. They would just be like, why did
12 you do that, like we don't hang out with them. Like you
13 shouldn't do that.

14 Q. Okay. So there's not like inside
15 punishment or anything like that?

16 A. Not in my fraternity.

17 Q. Okay.

18 A. Delta Chi does that all the time and you
19 know...

20 Q. Gotcha.

21 A. To get into Delta Chi they lock you in a
22 room with four other guys, and you have to [unintelligible]
23 or drink a handle of vodka before you can come out. If you
24 can't do it, you have to run a mile or [unintelligible]
25 it's stupid.

1 Q. So when you got pulled over by that female
2 officer, you said that she took your gun apart?

3 A. No. She just unloaded it.

4 Q. She just unloaded it, so that just the
5 magazine was outside?

6 A. [Inaudible]

7 Q. Okay. And when did you put the gun back
8 together?

9 A. It wasn't disassembled. But I...

10 Q. Where did you put it to ready?

11 A. Well I put the magazine back in after she
12 left. I was like, when can I put this back in the glove
13 box? She was like, wait till I leave and you can load it
14 again.

15 Q. Okay.

16 A. [Inaudible] His name is Colt.

17 Q. Say that again.

18 A. Colt, like he had nothing to do with it.

19 Q. Oh.

20 A. He's just a guy. He has tattoos with
21 checkmarks for everybody he killed in Afghanistan. His
22 entire side is covered.

23 Q. Wow.

24 A. [Inaudible]

25 Q. Are these the uh - are these Ray Bans in

1 your photo?

2 A. Yeah. [Inaudible]

3 Q. [unintelligible]

4 A. [unintelligible] Instagram.

5 Q. Gotcha.

6 A. My parents drove up last week just to give
7 them to me.

8 Q. That's nice, are you close to your parents?

9 A. Yeah.

10 [Pause 57:51 through 58:18]

11 A. [Inaudible]

12 Q. That's a great question. Being inside this
13 room my access -- I don't have any access to any of the
14 information out there.

15 A. Yeah, you're in here.

16 Q. Yeah.

17 A. [Inaudible] Thank you.

18 Q. You're welcome.

19 A. [Unintelligible]

20 Q. Mm-hmm.

21 A. [Unintelligible]

22 Q. Oh yeah? Yeah.

23 A. It's a great [unintelligible]

24 Q. A great what?

25 A. I still have my backpack in my car.

1 Q. Yeah.

2 A. You said yeah, like you knew already.

3 Q. No, I have no idea.

4 A. I still have a bunch of ammo in my
5 backpack.

6 Q. In the [unintelligible]

7 A. Yeah, [inaudible]

8 Q. You primarily [unintelligible]

9 A. Mm-hmm.

10 Q. How long since [unintelligible]

11 A. No, no, no. I only did that for a couple
12 years. But I've been shooting since I was eight years old.

13 Q. Shooting since you were eight years old.

14 A. Yeah.

15 Q. [Unintelligible]

16 A. My dad wanted to make sure I knew how to
17 defend myself.

18

19 [END RECORDING - FILE #3]

20 FILE #4

21 BY OFFICER PARK:

22 Q. [Inaudible] -- my life choice.

23 A. Are you close with your parents?

24 Q. I am, Yeah.

25 A. What are they like?

1 Q. What's that?

2 A. What are they like?

3 Q. My dad's retired

4 A. [Inaudible]

5 Q. [Inaudible]

6 A. Are they proud of their policeman son?

7 Q. They are. They did not want me to do this

8 job, still don't.

9 A. [Inaudible] -- don't see -- [inaudible].

10 Q. It can be a little scary sometimes.

11 A. I'm sorry that I have to put you through

12 this.

13 Q. You're not putting me through anything.

14 A. Nobody wants to see a dead body.

15 Q. No. I didn't see one, I am here with you.

16 So I think Ken said another detective is coming in. That

17 detective -- I'm not too sure. You'll need to talk to some

18 guy. I -- I don't know. So before they get here, do you

19 mind if we go over your story one more time?

20 A. I don't know if I'm up to it.

21 Q. Okay.

22 A. I'm really tired.

23 Q. I can try but I'll probably get things

24 wrong.

25 Q. Can you just try your best for me?

1 A. I can do the quick and easy version.

2 Q. The quick and easy version? Okay.

3 A. Walking back from the Grove. We realize
4 Hunter's not with us and we stop in front of a random
5 house. We're on the sidewalk. [Inaudible] Shay's trying
6 to get Hunter on the phone and we kind of decide that we're
7 going to go back to the View, instead of going back to my
8 car and going home. So, we started walking toward a --
9 toward the parking lot and then ten to twelve guys come out
10 of nowhere behind us, and started pushing us. Threatening
11 us. Telling they are going to kill us. And then I got
12 punched in the face and I ran to the driveway in Mountain
13 View.

14 Then, Shay and Jake, ran that way too. And they
15 were pushing us and someone was threatening to kill us. So
16 I ran toward my car to get in and drive away and pick them
17 up, but I couldn't find my keys and I panicked. So I
18 grabbed my gun, and I told them -- those two guys that
19 chased after me when I ran to my car, that I have a gun.
20 And they ran at me and told me they were going to kill me.
21 I was afraid for my life. [Inaudible] so I protected
22 myself. I tried to render aid. I tried to help the guy
23 that was down, because he looked bad. I tried to go help
24 him but someone snuck up on me and tried to grab my gun.
25 [Inaudible.] I got pushed to the ground. A bunch of

1 people jumped on me, started kicking, punching me. They
2 were saying they were going to kill me. They were trying
3 to get my gun so I thought they were going to kill me with
4 my own gun, so I fired warning shots. Shot them in the air
5 and they disbursed. And then some random guy showed up and
6 said that if I gave him my gun, he wouldn't let anybody
7 take it and keep it safe. So I put it on the ground behind
8 him. Then I walked over to you. That's exactly what
9 happened.

10 Q. Okay. Can I ask you a couple of questions,
11 real quick and easy for you? So, you -- you were in front
12 of the house and you were deciding whether or not to go
13 back to the View versus your car to go home. Where's home?

14 A. McConnell.

15 Q. Do you guys all live in McConnell?

16 A. No. I was going to drop them off at Reilly
17 first.

18 Q. Okay. So, Drake and Shane, or Shay.

19 A. It's Jake and Shay.

20 Q. Jake and Shay. Jake and Shay live at
21 Reilly, and you are going to drop them off at Reilly on the
22 way to McConnell Hall.

23 A. There you go.

24 Q. Okay. What was gonna - why was the View an
25 option?

1 A. Because Hunter was missing, and we were
2 just gonna wait right there. Plus, we like hanging out
3 with all the active members because they're really cool
4 guys [inaudible].

5 Q. Okay. So the View was a place where Hunter
6 could go back to?

7 A. We could hang there and he could come back
8 to us there.

9 Q. Okay. And you know other brothers there?

10 A. Yeah, plus we could sleep there, too, too.
11 So we could just crash there, a safe place.

12 Q. Okay. Did Shay ever get a hold of Hunter
13 on the phone?

14 A. Hunter texted, said "Hey." Shay said,
15 "Where are you?" and he never text back.

16 Q. Okay. And then when the group was coming
17 at you and a couple were [unintelligible] members, and
18 saying they're going to kill you guys, now with how they
19 stated it, tonight. In your lifetime, has anybody ever
20 threatened to cause physical harm to you?

21 A. Yeah. It was stuff like I'll beat you up
22 and shit.

23 Q. Okay. So, what was -- what can you think -
24 - what do you think the difference is between how somebody
25 said it to you in the past with how they presented it to

1 you tonight?

2 A. Because nobody's ever said, "I'll fucking
3 kill you," while running at me looking at me dead in the
4 eye with balled up fists.

5 Q. Okay.

6 A. I have no doubt in my mind...

7 Q. So, that's what -- that's what sticks out
8 in your mind, is balled up fists?

9 A. Running right at me, looking me straight in
10 the eye and saying, "I'll fucking kill you."

11 Q. Okay.

12 A. I have no doubt in my mind that he was
13 going to try to kill me.

14 Q. Okay. And did they say how or is -- did
15 you think, did you ever think for a second they were
16 bluffing and that they were talking shit?

17 A. I mean, at first, like when one guy showed
18 up, I was like Yeah, like he's probably just talking shit.
19 But then everybody started saying, "I can fucking kill you.
20 I will fucking kill you." Then the start [unintelligible].

21 Q. And you can't think of anything like why
22 they would be so hostile towards you?

23 A. I mean, I -- I probably said like, "What
24 the fuck are you calling me," when they punched me the
25 first time." But it's just so...

1 Q. So, a little verbal confrontation went back
2 and forth?

3 A. I suppose, maybe. But, I didn't know what
4 Shay and Jake were saying. They may have -- might have
5 said something but...

6 Q. Okay.

7 A. [Inaudible]

8 Q. And, and so this is -- you guys are in the
9 street at this point?

10 A. Walking from the street to the driveway.

11 Q. Okay. And so then you guys are just
12 yelling at each other?

13 A. No, no we're not yelling at each other.
14 They were mostly yelling at us and then I heard Shay say,
15 "What the fuck is your problem, man? Like, we're leaving.
16 Leave us alone."

17 Q. Okay.

18 A. And they continue to advance and
19 [unintelligible] and shoving us and obscenities and it gets
20 more and more violent. I'll beat your ass, like I'll rip
21 off your leg and beat you over the head with it.

22 Q. Somebody said that?

23 A. I just heard it.

24 Q. Okay.

25 A. I don't know who said it. [Inaudible] and

1 then I heard them say, I'll fucking kill you. I'm like
2 shit, I've got reason to be scared, like I was already
3 terrified, but that's why I felt like my life was truly in
4 danger.

5 Q. Okay. So, the way that they said it today
6 is something that you've never experienced.

7 A. Uh-uh.

8 Q. And then your warning shots?

9 A. Mm-hmm.

10 Q. You're surrounded by people?

11 A. Uh-hum. I didn't get a good look, my eyes
12 were closed and I had my arm was over my eyes and my face
13 to protect it. I was getting wailed on, but I could tell
14 there was a lot of people around me.

15 Q. All around you.

16 A. [Unintelligible]

17 Q. And from what you said earlier, you were on
18 your knees or on your back.

19 A. Yeah. I think I was on my knees, I was
20 trying to help somebody wounded, and then I like spun
21 backwards on my back [inaudible].

22 Q. Okay. Do you remember saying anything to
23 the guy who was wounded?

24 A. Yeah. I said, "Stay with me buddy, why'd
25 you make me do this?"

1 Q. So, the -- you said there was also another
2 guy who was right here, helping him. What was he saying to
3 you? Was he saying anything to you?

4 A. He said, "You're fucking psycho. Get the
5 fuck away from me."

6 Q. Okay. Did he do anything to you?

7 A. No. I think he was scared because it was
8 just him at the time and the other guy. Then they all
9 piled on me.

10 Q. Okay. And so you -- even when you're on
11 your back or on your knees, when you got off the final
12 shot. Where, what did you -- describe how -- what happened
13 after that.

14 A. They scattered -- like the guy who's trying
15 to grab my gun ran away. He ran down the edge of the fence
16 towards the SU. Everybody else turns to disburse. And I
17 backed up and got as much space as I could and tried to use
18 some high ground to protect myself and scan for more
19 threats. -- [unintelligible].

20 Q. Okay. Were there any other warning shots?

21 A. I think there were multiple warning shots
22 when I was on the ground, maybe more than one. I fired
23 more than once in the air.

24 Q. So, if you're on the ground and average
25 male height is what, five...

1 A. Five-ten.

2 Q. Five-ten. So, if you're on the ground or
3 even on your knees, five-ten, somebody's still above you.

4 A. [Inaudible]

5 Q. So how do you think you gave a warning shot
6 without hitting someone over or next to you? Like, did you
7 feel like you had a clean or clear view to the sky?

8 A. I thought I had a reasonably good chance of
9 not hitting anybody. Like, I thought maybe it was 99%
10 because I like -- I remember, holding my arm up towards
11 this sky and trying to get as high as I could.

12 Q. Uh hum.

13 A. But at the same time, like if one of the
14 guys who was stomping my head, happened to be like -- I
15 wasn't going to try -- I would -- I would have considered
16 that self-defense, but I wasn't trying to hit anybody.

17 Q. Uh hum.

18 A. I thought I could see like the sky.

19 Q. Okay. So how was your arm?

20 A. What do you mean?

21 Q. Like when you gave the warning shot.

22 A. How I was holding it?

23 Q. Yeah, like did you have it...

24 A. I think it was like not fully extended but
25 like almost.

1 Q. Okay.

2 A. Like -- kind of like this.

3 Q. Okay. And you can't remember if you were
4 on your -- on your back or laying on your back or if you
5 were on your [unintelligible]?

6 A. When I was getting jumped, when I was
7 getting piled underneath this...

8 Q. Okay.

9 A. And my hand was behind my back, and my
10 knees were forward under me. So I might have like sat up,
11 like a little like I was before. But I was probably mostly
12 on my back, I don't know.

13 Q. And you kind of had it at the L shape?

14 A. Not the L shape. Like kind of like that.
15 More towards fully extended.

16 Q. Okay. How close was the -- somebody next
17 to you?

18 A. I honestly couldn't tell you. I was like -
19 - I was flinching and then my arm was over my -- so if I
20 was on the ground and like sort of how I am right now.
21 There was a guy behind me, like laying down behind me,
22 trying to get my gun out from underneath.

23 Q. Okay.

24 A. And then there was a guy to my left by my
25 leg who was like this. And there was a guy between my legs

1 who was wailing on me with his fists.

2 Q. Okay.

3 A. And more people to the right and they were
4 just kind of like pulling me down.

5 Q. Okay. So then they they're -- they're
6 making physical contact with your body.

7 A. Yeah. I'm curled up in the fetal position
8 and they're wailing on me and I'm screaming, "Help! Help!"
9 I honestly thought they were going to grab my gun and kill
10 me with it. So, I'm screaming over and over at the top of
11 my lungs like terror, "Help! Help! Help! Help!" I saw Jake
12 sitting on the ground. I didn't know if he was hurt and he
13 couldn't get up or if he was just scared.

14 Q. How was Jake sitting on the ground?

15 A. Kind of like I am, like this. Facing the
16 [inaudible] up on the [inaudible].

17 Q. Okay. Was he sitting on a rock or
18 sitting...

19 A. He was just sitting like on the pavement in
20 shock. I caught like a [unintelligible] second of a
21 glimpse of him.

22 Q. Okay.

23 A. I was screaming, "Help! Help! Help!" Over
24 and over and over again. Hoping that somebody would
25 realize that these people were going to kill me. I was

1 screaming [unintelligible].

2 Q. Mm-hmm. So, at what point when they're
3 beating you, at what point do you take your gun out?

4 A. Um, like the second or third time I got
5 kicked in the stomach I realized I had to do something
6 because I couldn't overpower these guys and I'm sure the
7 guy was going to get the gun out from behind my back.
8 There's no way I could have -- [inaudible].

9 Q. So, on the third -- coming around on the
10 third time --

11 A. I don't know.

12 Q. Roughly?

13 A. Like after he came at me a few times, I
14 realized that he wasn't going to stop.

15 Q. Okay.

16 A. And they weren't going to stop. He wasn't
17 going to stop trying to get the gun out from under me. And
18 I'm just one small guy.

19 Q. Mm-hmm.

20 A. So I just protected my life, I was
21 terrified. [Inaudible].

22 Q. Then the warning shot to get them off you.
23 Were there any other shots after that?

24 A. The warning shot may have been a multiple
25 but after that I don't -- I don't think so.

1 Q. Okay. But then guy number one and guy
2 number two, that's who you know you shot and those shots
3 were in the front?

4 A. Are you saying they weren't?

5 Q. No, I don't know. I'm asking you.

6 A. Okay. No, only two.

7 Q. Okay. And that was -- they were to the
8 front, when they were running at you, right? They weren't
9 like -- they weren't liking running to the side and cutting
10 in towards you, it was...

11 A. No, straight at me from the front.

12 Q. Straight at you. Okay.

13 A. They knew I had a gun. I had a flashlight
14 in their face. I said I had a gun so stop. They said, I'm
15 going to fucking kill you. [Inaudible].

16 Q. Did you say -- I think you said you -- you
17 had a gun when you were at the car because you thought they
18 were coming at you?

19 A. Yeah. And then they were further than I
20 thought.

21 Q. Further than you thought. Okay. And then
22 you got out of your car and...

23 A. And the gun's at low ready.

24 Q. Okay. Gun's at low ready. Flashlight's
25 still on. And then -- and then what?

1 A. I said, "I have a gun. Don't come any
2 closer."

3 Q. So, this is another warning that you state
4 that you're...

5 A. Yeah.

6 Q. How many times did you say that you had a
7 gun?

8 A. Two or three, I might have like said it
9 over and over and over again, but [inaudible].

10 Q. Okay.

11 A. And then after I yelled, "I have a gun.
12 Don't fucking move" or something like that, the guy looks
13 right at me and said "I'm going to fucking kill you."

14 Q. Okay.

15 A. [Inaudible] when I explain it, it seems
16 like you have time when to assess and see...

17 Q. Right.

18 A. ...it's just like, act or die.

19 Q. Mm-hmm. Want any more water?

20 A. Sure. Thank you.

21 Q. Um hum. I can get you another bottle, if
22 you want. Are you sure?

23 A. I don't have any [inaudible].

24 Q. I'm tired of hearing them roll in the back
25 of my car every time I turn a corner.

1 A. I mean, if it makes life easier for you.
2 If you need to step out for a second.

3 Q. [Inaudible.]

4 A. [Inaudible] -- my hand's -- [inaudible.]

5 Q. Which hand?

6 A. My right hand.

7 Q. The right hand.

8 A. [Inaudible.]

9 Q. [Inaudible.]

10 A. I think this might be slide bite. I don't
11 know.

12 Q. You think it might be what?

13 A. Either when I was wrestling for the gun
14 behind my back either rubbing against the ground.

15 Q. Oh, oh, oh.

16 A. Or a slide bite.

17 Q. Gotcha.

18 A. But a slide bite wouldn't be there.

19 Q. Right.

20 A. It would be like in the [unintelligible].

21 Q. [Inaudible.]

22 A. [Inaudible] thirteen years and
23 [unintelligible] I still shoot it today and it still clips
24 the shit out of my hand.

25 Q. All right. Let me go get you another

1 bottle. So I can use the restroom. Is there anything else
2 I can grab you in the meantime?

3 A. No. Is there any way it can get warmer in
4 here?

5 Q. I will check on that. No promises. I
6 don't have an extra jacket or anything. But I will go work
7 on that, okay?

8 A. No worries. Could I have Ken get my phone
9 to call my dad?

10 Q. Let me go find out where it's at.

11 Silence from 0:18:06 to 0:18:46.

12 OFFICER HUNTER: Steven, can I just grab my
13 notebook real quick?

14 MR. JONES: Say that again?

15 OFFICER HUNTER: I'm going to grab my notebook
16 real quick.

17 MR. JONES: Okay.

18 OFFICER HUNTER: [Unintelligible.] Can you move
19 over here real quick? You can still stay in the chair.
20 Let me move this chair over but you can stay comfortable.

21 MR. JONES: You want me to --

22 OFFICER HUNTER: Yeah. Just slide that chair
23 that way. You can rest up against the wall if you want.

24 MR. JONES: Okay.

25 OFFICER HUNTER: Thank you.

1 Silence from 0:19:25 to 0:24:15.

2 OFFICER PARK: Here's your water. I walked
3 around, looked for the thermostat. I have no idea where
4 it's at.

5 MR. JONES: That's okay.

6 OFFICER PARK: So, I'm sorry but maybe --
7 modified loop?

8 MR. JONES: Yeah. I remember reading rules about
9 guns here. Like it has to be in your glove box and your
10 car has to be locked for it to be legal and always, always,
11 always make sure that it is in the case.

12 OFFICER PARK: Was your glove box locked tonight?

13 MR. JONES: No. It didn't have to be though.

14 OFFICER HUNTER: Okay. Let me get my...

15 OFFICER PARK: Okay.

16 OFFICER HUNTER: ...bag, sorry.

17 MR. JONES: That was odd, what's happening?

18 OFFICER PARK: I don't know. I figure these guys
19 have more questions. I'm just going to get out of this
20 chair and move this way.

21 OFFICER HUNTER: All right, Steven. Some follow
22 up questions. I've been kind of talking to everybody, I
23 just want to clear up.

24 MR. JONES: Of course.

25

1 BY OFFICER HUNTER:

2 Q. So, prior to the, the shooting, right --
3 you're running away. Is that correct?

4 A. Yeah.

5 Q. Okay. So where were you running to?

6 A. I don't know. I was panicked.

7 Q. Okay. How far away were those -- so
8 explain that to me a little bit more. So, you get hit,
9 right? In the middle of the road.

10 A. Yeah.

11 Q. And then where do you go from there?

12 A. I start running towards Mountain View, up
13 to the driveway.

14 Q. Okay.

15 A. And then I start running toward my car.

16 Q. Okay. So, how far up that driveway did you
17 get?

18 A. About right to where my car is.

19 Q. So, you got right up to the car?

20 A. Well, not right up to the car but like
21 where the car would be if I just made a right and went
22 towards it.

23 Q. So, there's your car. Are you in this
24 picture?

25 A. Yes.

1 Q. Okay. So, and here's the driveway if I'm
2 not correct.

3 A. Yes.

4 Q. So, about how far up?

5 A. So, there's a fence here. So, I panicked
6 and I ran this way and then I ran toward my car.

7 Q. Okay. So, where were those subjects?

8 A. Subjects?

9 Q. The -- the people -- was anybody following
10 you when you left?

11 A. Yeah. They were chasing me all the way up
12 until here and then they were chasing me when I started to
13 run to my car but...

14 Q. Okay.

15 A. I don't know...

16 Q. How far away were they?

17 A. What do you mean?

18 Q. Like behind you?

19 A. I didn't look back but I could hear their
20 footsteps and they sounded really close.

21 Q. Okay.

22 A. When I started running they were right
23 behind me.

24 Q. Right behind you? So, would you say --
25 what were they saying when they were chasing you? Or, were

1 they saying anything?

2 A. Get back here mother fucker, I'm going to
3 beat your ass. Like, get the fuck out of here you
4 [unintelligible].

5 Q. Okay. How come you didn't keep running?

6 A. Because I couldn't -- I couldn't run away
7 from them, they were faster than me.

8 Q. But they weren't catching you, right? So,
9 initially they started out right close to you.

10 A. Yeah. But, there's like a big group of
11 guys. Like, I had to push through them. And...

12 Q. Okay. But, you were -- you were running
13 away and you were putting distance on them.

14 A. No, I wasn't gaining distance. I was
15 losing distance.

16 Q. Okay. But if they started out right behind
17 you.

18 A. Yeah. Like I got -- I got a lead on them
19 at first when I started running. They started catching up.
20 I was like -- oh, over here like --

21 Q. Okay.

22 A. I haven't played sports in a long time and
23 I smoke cigarettes like...

24 Q. Okay.

25 A. Seven thousand feet, I'm not very fast.

1 Q. So, did -- when you got to this point,
2 right here on the pedway right, what happened? Like did
3 you turn and then walk to your car, run to your car, jog to
4 your car?

5 A. I think I turned back and like tried to go
6 check on Shay and then I saw him right there and then I
7 bolted to my car.

8 Q. You bolted to your car. And where were
9 those two individuals at, when you turned for your car?

10 A. What do you mean?

11 Q. The individuals chasing you. Where were
12 they at?

13 A. Probably somewhere in the group over here.

14 Q. Okay. So, they weren't close to you. So,
15 you weren't -- they weren't gaining distance on you.

16 A. No, like when I stopped and looked back,
17 like I didn't see them for a second so I'm like "Oh, shit.
18 Maybe they stopped following me." So, I went like back to
19 check on Shay and Jake and they were right there and they
20 started chasing me again.

21 Q. Okay. And then that's when you elected to
22 run to your car?

23 A. Yeah.

24 Q. Why run to your car?

25 A. Because I was going to get in and drive

1 away and pick up my buddies and drive away.

2 Q. Okay. So and what prevented that?

3 A. I couldn't -- I panicked and I couldn't
4 find my keys and I was like they're right behind me. Got
5 get moving right now right now. I can't find my keys.

6 Q. Okay.

7 A. And I thought they were like just literally
8 like five steps and they're there. I didn't have time to
9 look for my keys. Cause they usually hang off my belt and
10 I couldn't find them and I was like fuck.

11 Q. Okay. So, was your -- was your door open
12 or closed to your car?

13 A. What do you mean?

14 Q. The door that you got in. Did you leave it
15 open or did you close it?

16 A. It was closed. Like, I unlocked it on the
17 way to the car.

18 Q. Okay. And then you get in?

19 A. Then I get in, and...

20 Q. Okay. So, you were safe at that point.

21 Right?

22 A. No.

23 Q. Okay.

24 A. No. Why would I be safe?

25 Q. You were in the closed structure?

1 A. No.

2 Q. Right. So, were they at your car?

3 A. Like they could have been at any moment. I
4 didn't have time to like lock it again. I couldn't find my
5 keys. Like my door was open. Like --

6 Q. Okay.

7 A. Yeah, like --

8 Q. So, why didn't you close the door?

9 A. Because they could just open it again or
10 they could break the window and pull me out.

11 Q. Okay. But they didn't.

12 A. No.

13 Q. Okay.

14 A. Because I thought they were right behind me
15 but when I turned back they were like a little bit further
16 than I thought.

17 Q. Okay. So, then you were safe, in your car?

18 A. Um, I didn't think I was.

19 Q. Okay. Why not?

20 A. Because they were chasing me to my car.

21 So, like logically if you're running and crying and there
22 are people chasing behind you, you assume they're going to
23 chase you all the way to your car. Right?

24 Q. Okay. I'm just trying to figure out -- so,
25 why did you grab the gun?

1 A. Because I couldn't start my car and like
2 because I knew that they could be at my car before I could
3 start it and get away.

4 Q. Okay.

5 A. They were going to get to me before I could
6 start my car.

7 Q. But they weren't. Am I correct with that?

8 A. Um, they could have. And I couldn't
9 predict their actions.

10 Q. Okay. But they weren't. They were not at
11 your car, right?

12 A. No. They weren't right there.

13 Q. Okay.

14 A. But they were within like half a second
15 running distance.

16 Q. Okay. But you said that they were over
17 here.

18 A. I mean yeah, but they are athletic guys,
19 they could bound over there no problem, in that time. And
20 I didn't have time to like remember where I put my keys.

21 Q. Okay. But you remember -- you were able to
22 open up your glove box, removed the gun, and rack a round.
23 That's what you told me earlier. Right?

24 A. Yeah.

25 Q. Okay, and put a round into the chamber.

1 A. Yeah.

2 Q. Okay. But they still weren't at your car
3 at that time.

4 A. No. I think they were preoccupied with
5 Shay and Jake.

6 Q. Okay.

7 A. Yeah.

8 Q. So why didn't you stop and call the police
9 at that time?

10 A. Because -- like -- they -- I told them stop
11 and I got their attention. Like I said -- I told them I
12 had a gun before I knew they weren't gonna come at me and
13 by the time I said that they were coming at me. You know
14 what I'm saying?

15 Q. No. So where were you when you said that?

16 A. As soon as I put my hands on the gun, I
17 yelled I have a gun and I got their attention.

18 Q. Okay. Then what did they do?

19 A. They all started like turning toward me,
20 looking at me. And I said stop, right -- or I said fucking
21 stop or don't fucking move, I have a gun. And they started
22 running at me.

23 Q. Okay. So how far away were they? At that
24 point? Cause they -- you said that they were around Shay.

25 A. Well no, they weren't around Shay. They

1 had their attention turned toward Shay.

2 Q. Okay.

3 A. I think like, they ran half way maybe to my
4 car. Maybe like partially to my car. And then were like,
5 no, let's go see what they're doing. But I didn't know
6 they turned around mid like, so. I like -- I was in the
7 car and I was freaking out because they were going to be
8 there any second and I pulled my hand gun and was like I
9 have a gun and by the time I said that they turned their
10 attention back toward me.

11 Q. Okay. And then what did they do?

12 A. Then they started running at me. He said
13 I'm going to fucking fill you and he started running at me.

14 Q. So then what did you do?

15 A. You know what I did.

16 Q. Well, I -- I -- I'm just trying to figure
17 out -- I mean -- if they were not near you, and you yell
18 from inside the car, I have a gun...

19 A. They weren't not -- not - like...

20 Q. How far do you think they were? Like I
21 know it's just an estimate.

22 A. Five to ten feet.

23 Q. five to ten feet? And where was Shay from
24 you at that point?

25 A. Like at the -- in the gravel, pretty much I

1 guess. I -- I don't really know. Like I didn't have my
2 glasses, I couldn't see very well.

3 Q. Sure. I'm just -- so here's what I'm
4 trying to figure out, why the gun? Right? So you have run
5 away, right here, and you had made it to your car
6 relatively place of safety, why not stay in the car? Why
7 do you exit the car with the gun?

8 A. Because I wasn't safe in the car.

9 Q. Okay, they weren't near you though. They
10 were coming towards you but they hadn't exhibited any
11 lethal behavior at that point, right?

12 A. Yeah they had. They punched me in the face
13 and they said I'm gonna fucking kill you, multiple times.

14 Q. Where was that at though? While you were
15 in the car?

16 A. over here, while we were walking to the --
17 like everywhere.

18 Q. Okay.

19 A. They were pushing us and punching us the
20 whole way there.

21 Q. Okay. So, but at that point, you were over
22 here in your car. I'm just trying to figure out why, why,
23 why pull the gun, Steven?

24 A. Because I wasn't safe in my car.

25 Q. But they weren't near you. You said they

1 weren't paying attention to you until you yelled I have a
2 gun.

3 A. No, that's not what I said.

4 Q. Okay. Well clarify that for me.

5 A. Okay, okay. So can I use your pen?

6 Q. Absolutely.

7 A. Sure. So if here's my car, and these
8 aren't like accurate.

9 Q. Sure.

10 A. And here's ah -- you have the sidewalk.
11 They're right behind me and I'm running to my car. And um,
12 by the time I get to my car, like they had maybe like
13 around here decided to like stop chasing me.

14 Q. Okay.

15 A. And had started slowly walking back. But I
16 didn't know that.

17 Q. Okay.

18 A. So I thought they were like right on my
19 ass. And I panicked and I couldn't start my car in time
20 because I knew they were right behind me and I thought they
21 were gonna be like right there. So I grabbed the gun and
22 like before I even looked and made sure they were still
23 there I grabbed the gun and yelled, I have a gun. And then
24 when I yelled that they turned right back around.

25 Q. Okay. And how far do you think that that

1 distance was?

2 A. Between me and them?

3 Q. Mm-hmm.

4 A. I'd say like between five and ten feet.

5 Q. Five and ten feet? So give me a judge of
6 distance like, from where you are right now.

7 A. Uh, could you open the door?

8 Q. Sure.

9 A. From where I am right now when they started
10 running at me, they were probably about that file cabinet
11 maybe.

12 Q. Okay.

13 A. Maybe the printer right in front of it.
14 Like pretty close. And then they just like hopped towards
15 me and they...

16 Q. So where were they when you shot?

17 A. Like right where you are, maybe closer.

18 Q. Where Keegan is or where I'm at?

19 A. Where Keegan is.

20 Q. So right here?

21 A. Yeah, like they were that close.

22 Q. Okay, so how far out to the car were they?

23 A. I'd say three or four feet, like a few
24 steps.

25 Q. Okay. So if that's the front seat of the

1 car, that you're in right now...

2 A. Yeah.

3 Q. So I would be back this way a little bit
4 more, and then you -- so you were just outside your car.

5 A. Yeah. So like if this was the front seat,
6 I'd be like right here.

7 Q. Okay. And they were coming from the area
8 of this file cabinet right here?

9 A. Yeah.

10 Q. Okay.

11 A. Like they were, another split second and
12 they'd be on me. Like I had to do something.

13 Q. Okay. But why didn't you stay in the car?
14 If you were the focus of that aggression, why didn't you
15 stay in the car?

16 A. Because I couldn't start it or lock it, so
17 they could just open the door, they could break the window
18 and pull me out.

19 Q. How come you couldn't lock it?

20 A. Because I couldn't find my keys.

21 Q. Don't they have like um, a little punch
22 thing?

23 A. Yeah. But I was panicked. I didn't know
24 what to do. I don't ever use that, like I don't ever lock
25 my car when I get in it.

1 Q. Okay.

2 A. Like I wouldn't even know how to lock my
3 car. Like when I was that panicked. Like even if I could
4 lock it they could just break the window and pull me out.
5 They're big guys.

6 Q. But they didn't.

7 A. They didn't have the opportunity to.

8 Q. And they -- but you got out of the car and
9 readdressed them, correct? Before they could get to your
10 car.

11 A. I got out of the car because I believed
12 that I was addressing a threat.

13 Q. Okay.

14 A. I had every reason in the world to believe
15 that they were a clear and present danger to my life. And
16 they had given me every reason in the world.

17 Q. Okay. And what -- I mean and that was --
18 what led you to believe that?

19 A. Because they punched me in the face and
20 they chased me over here and the whole time they were
21 saying I'm gonna beat your ass, I'm gonna kill you, and
22 then finally when I told them I had a gun they didn't even
23 care. They just said, I'll fucking kill you. They didn't
24 even care I had a gun.

25 Q. Okay.

1 A. Like if somebody knows you have a gun on
2 them and they still keep coming, they obviously want to
3 kill you, right?

4 Q. But they didn't keep coming when you made
5 it to the car, right? When you were in the car?

6 A. Yeah, I mean...

7 Q. [Unintelligible -- talking over each other]

8 A. I don't know that for sure. I don't know
9 if they stopped. I don't know if they turned around. I
10 don't know if they kept coming. I don't -- I wasn't paying
11 attention at that point.

12 Q. Okay.

13 A. But I know they weren't right up on me when
14 I got to the car.

15 Q. Okay. What kind of shooting stance did you
16 take when you got out of the car? Like what was your
17 shooting stance? Do you know?

18 A. My -- my training kind of like just took
19 over at that point. Like I don't...

20 Q. Do you remember?

21 A. I can kind of try to mimic it.

22 Q. Yeah, can you?

23 A. Yeah. But like -- so, I was sitting in the
24 car like this and I had the gun like this. So I came out
25 and it presented like that.

1 Q. Okay. So you had a two-handed, forward
2 facing -- I don't know what it is called.

3 A. It was sloppy though. Like I didn't have a
4 lot of time to get like a good grip, so like my fingers
5 were all fucked up and...

6 Q. Okay. So you were shooting right handed?

7 A. Yeah.

8 Q. Okay.

9 A. Like I didn't have time to get a proper
10 stance or like fix my fingers perfect, but I just needed to
11 get it out.

12 Q. Okay. What would you do -- what would you
13 have done if you didn't have the gun in the car?

14 A. Died.

15 Q. You think you would have died?

16 A. I do.

17 Q. Okay. And you had your cell phone on you?

18 A. It was at one percent battery. Not enough
19 to call.

20 Q. one percent?

21 A. Like it would have died.

22 Q. Okay. When did you ask for -- do you --
23 what was going on with Shay and stuff while you were in the
24 car?

25 A. I have no idea. I had -- my glasses were

1 off and it was dark I -- I -- I just kind of saw blobs and
2 I knew that they must be in trouble because those guys were
3 being really aggressive.

4 Q. Okay. [Unintelligible], but you don't know
5 that for sure?

6 A. No, no they were out of sight.

7 Q. Okay. Okay. Let me ah -- I'm gonna step
8 out a second.

9 MR. JONES: That guy doesn't like me.

10 OFFICER PARK: What's that?

11 MR. JONES: That guy doesn't like me.

12 BY OFFICER PARK:

13 Q. I don't think he has a personal opinion
14 towards you. I think he's just trying to get those facts
15 straight.

16 A. Do you know him well?

17 Q. Yeah.

18 A. Do you really think that?

19 Q. Yes.

20 A. Okay.

21 Q. Yes, absolutely.

22 A. Do you know if he has any sort of
23 [unintelligible]?

24 Q. No.

25 A. [Inaudible]. What would you do if you were

1 in my spot?

2 Q. What do you mean?

3 A. Like how would you feel if you were me
4 right now?

5 Q. How would I feel if I were you right now?
6 That's -- that's a tough question, Steven. I did not
7 experience anything remotely close to...

8 A. How do you think you'd feel?

9 Q. You know if somebody -- if I was going
10 through a situation where somebody was coming at me and
11 [unintelligible]. I would have to do what I would have to
12 do. And I don't know what that would be, because I don't
13 know...

14 A. No, I wasn't asking you what you would do.
15 I was asking how you would feel, like if you were in my
16 position right now.

17 Q. If I -- if I had to do what I felt like I
18 had to do and I -- you know -- if that was your judgement
19 call, that's your judgement call. I can't -- I can't
20 quarterback your decisions, you know. What you're telling
21 us is what happened and that's the information that we have
22 to go by. We just want to make sure obviously that we have
23 the -- everything lined up.

24 A. Yeah, is what I'm saying making sense?
25 Like am I explaining it well enough?

1 Q. Yeah, I'm listening. Yeah, I can hear all
2 of it.

3 A. It made sense?

4 Q. Mm-hmm.

5 A. I'm so tired. [Unintelligible].

6 Q. I forgot. I went to the car. I was
7 putting [unintelligible] back. I'm sorry. I didn't even
8 get a chance to use the bathroom.

9 A. Go to the bathroom.

10 Q. Nah, that's fine. I'll live. I think what
11 Ken's trying to get at is -- you -- like why stop, why stop
12 running.

13 A. I couldn't get away, I'm not that fast.
14 Especially up here at 7000 feet when I am smoking
15 cigarettes.

16 Q. Is that something new for you?

17 A. No, I've been smoking for a while.

18 Q. How long?

19 A. Three years. I quit recently for six
20 months when I decided to go away to college.

21 Q. How many packs?

22 A. Half pack. There was no way I would outrun
23 those guys. I mean I wasn't very fast even when I was in
24 Phoenix and not smoking.

25 Q. Mm-hmm.

1 A. You know, I used to weigh 250 pounds.

2 Q. Really?

3 A. It really took a toll on my respiratory
4 system.

5 [pause 43:56 through 44:21]

6 A. [Inaudible]. I think I'm gonna call my
7 parents.

8 Q. Your call, your decision.

9 A. Um, should I do that?

10 Q. Yeah, is that what you want to do?

11 A. Yeah.

12 Q. Okay. I'll be right back.

13 [Silence 45:10 through 54:03]

14 Q. Hey.

15 A. [Inaudible] cool with that?

16 Q. Yep, sure is.

17 A. Okay.

18 Q. Still waiting, I'll let you know. But they
19 have been notified, though. So you will be allowed to talk
20 to them. Just give us a few minutes. I think one of my
21 unintelligible] folks made the phone call, just letting
22 them know that we have you.

23 A. Did they tell them what for?

24 Q. I don't think so. I'm not sure though.

25 Again, I've been here with you. I haven't been part of

1 that process going on up there.

2 A. Oh, okay.

3 Q. Like I said, I just -- I do know that they
4 said that your parents have been notified.

5 A. Okay.

6 Q. Okay?

7 [Silence 54:47 through 01:00:02]

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9 [END RECORDING DISC #4]

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6 Unsworn Interview

7 of

8 Steven Jones

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11 Taken

12 October 9, 2015

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17 by

18 Northern Arizona Police

19 Officer Kenneth Hunter

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24 State v. Steven Edward Jones

25 Case #CR2015-00862

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Disc #5:

Silence from 0:00:00 to 0:16:25 (7:01 AM)

UNIDENTIFIED OFFICER: Steven?

MR. STEVEN JONES: Yeah.

BY UNIDENTIFIED OFFICER:

Q. Okay. Um, another detective for the city was able to get in contact with Shay --

MR. JONES: Uh hum.

Q. -- back at his house. Did you guys ding-dong ditch that house? Or did Jake?

A. Um.

Q. Do you know what I'm talking about when I say ding-dong ditch?

A. I know what you're talking about.

Q. Okay.

A. Yeah. Um, may have, I think.

Q. May have?

A. I don't know. It's possible but I -- I don't know.

Q. Okay.

A. Can I -- can I sleep?

Q. Yeah. Go ahead.

A. Okay. Is there anything else you need from me?

1 Q. No. I'm good for right now.

2 A. Okay. How -- how long --

3 Q. They're waiting on a -- (inaudible).

4 A. On what?

5 Q. They're waiting to talk to a judge.

6 A. Okay.

7 Q. So, it's probably going to be another hour

8 or so.

9 A. Okay. What about calling home, my parents?

10 Q. I'll get you your phone here in just a

11 second.

12 A. Okay. Thank you.

13 Q. Yep.

14 Silence: 0:17:30 - 0:38:25 (7:23 AM)

15 Q. Steven, can you wake up for me a little

16 bit? You okay?

17 A. Uh hum.

18 Q. I know. I'll give you a couple of minutes.

19 You want a drink of water or anything?

20 A. Uh hum.

21 Q. Can I get you anything to drink? Or, to

22 eat? I'm sorry.

23 A. I'm okay. Thank you.

24 Q. Would you -- you don't want anything to

25 eat?

1 A. Um, I'm alright. Thank you.

2 Q. Okay. I mean, last time you ate was at,
3 what? Six o'clock last night?

4 A. Uh hum.

5 Q. Okay. Steven, can you kind of talk me
6 through kind of what's been going on the past week or so?
7 The last four or five days? In, like, school. You been
8 making it to class and stuff?

9 A. I'd really rather just like, like just go
10 to sleep.

11 Q. You'd rather just go to sleep?

12 A. Yeah, I'm sorry but I'm just so tired.

13 Q. Okay.

14 A. I mean, do, do, do whatever you need later
15 but -- (inaudible).

16 Q. Okay. I'll let you go back to -- if you
17 want to lie down on the floor, go ahead, too. Okay?

18 A. Okay. Thank you. Any soap in here?

19 Q. Any what?

20 A. -- in here?

21 Q. Yeah. You can stay in here.

22 A. Okay.

23 Silence: 0:40:18 - 0:60:01

24 Disc #6:

25 Silence from 0:00:00 to 0:60:01.

1 Disc #7:

2 Silence from 0:00:01 to 0:11:52. (8:56 AM)

3 UNIDENTIFIED OFFICER: Steven? Hey, it's me. I
4 need you to wake up for me, okay?

5 MR. STEVEN JONES: What's up?

6 UNIDENTIFIED OFFICER: I need you to walk
7 downstairs with me.

8 MR. JONES: Okay.

9 UNIDENTIFIED OFFICER: You want to take some
10 water or anything? You can bring it if you want.

11 (Inaudible.) You're going to follow the officer right in
12 front of us.

13 MR. JONES: Okay.

14 Silence from 0:12:11 to 0:12:48.

15 Disc #8:

16 UNIDENTIFIED OFFICER: If you want to read this?
17 Actually -- (inaudible) -- bring in some stuff.

18 Silence from 0:00:04 to 0:00:59.

19 MR. STEVEN JONES: Can you explain some of this?

20 UNIDENTIFIED OFFICER: I'll explain all that at
21 once, okay?

22 MR. JONES: Okay.

23 Silence from 0:01:04 to 0:03:01.

24 MR. JONES: What are you going to take picture
25 of?

1 UNIDENTIFIED OFFICER: What's that?

2 MR. JONES: What are you taking pictures of?

3 UNIDENTIFIED OFFICER: Oh, well. My camera's not
4 working yet so. What we're -- what we're doing is we have
5 to get some -- (inaudible). I'll wait to begin everything
6 momentarily, so. (Inaudible.) And this is going to be
7 your copy. Okay?

8 MR. JONES: Oh, okay.

9 UNIDENTIFIED OFFICER: What do you say we go
10 through the entire thing? (Inaudible.)

11 Silence from 0:03:53 to 0:05:48.

12 UNIDENTIFIED OFFICER: Steven, what was your
13 birthday again?

14 MR JONES: December 19th.

15 UNIDENTIFIED OFFICER: What year?

16 MR. JONES: 1996.

17 UNIDENTIFIED OFFICER: Thank you.

18 Silence from 0:05:59 to 0:06:51.

19 MR. JONES: Okay. They're not gonna find --
20 (inaudible).

21 BY UNIDENTIFIED OFFICER:

22 Q. (Unintelligible) -- do you have any
23 questions with that?

24 A. (Inaudible.)

25 Q. So -- (unintelligible) -- you do understand

1 that you are under arrest. So, here are the charges that
2 you're under arrest for right now. Okay?

3 A. Okay.

4 Q. Three counts of Aggravated Assault, okay?
5 And, one count of first degree homicide.

6 A. Okay.

7 Q. And all we're going to do, really, is go
8 down this list of things that we're going to -- that we
9 need -- that we need to collect. Okay?

10 A. Okay. Are we going to do it all right now?

11 Q. Yeah. Is that okay?

12 A. I'm tired.

13 Q. Yeah. We -- this is something that we do
14 have to do right now, though.

15 A. Okay. (Long silence.) What is that?

16 Q. This is just a container of where the
17 buccal swab will go into.

18 A. What's a buccal swab?

19 Q. Buccal swab is just a little stick with a
20 cotton end to it and it just allows us take some like DNA
21 from there.

22 A. Okay. Can you get me blankets or anything?

23 Q. There are no blankets, unfortunately. I'm
24 sorry.

25 A. Okay. Is this the -- (inaudible).

1 Q. No problem.

2 A. What's aggravated assault?

3 Q. Aggravated assault is -- say, for example,
4 you punch me.

5 A. Uh hum.

6 Q. And, you had Joe Schmoe, citizen over here.
7 If you punch a citizen, that's assault. If you punch me,
8 it's aggravated assault.

9 A. Why?

10 Q. Because I'm of a specialty profession.
11 Okay? However, the aggravated assault that you had is
12 causing a serious injury to somebody else.

13 A. Okay.

14 Q. Okay? By -- by use of the -- of a weapon.

15 A. Okay. What about the other guys who were
16 jumping us? Are they getting charged with anything?

17 Q. I have no idea on that side of the
18 investigation.

19 A. Okay.

20 Q. I -- I'm primarily -- my, my business is to
21 handle everything related to you and then other officers
22 are doing everything on that side.

23 A. Did any of them get arrested?

24 Q. I don't know.

25 A. Okay. How long is all this going to take?

1 Q. Oh, this will only take about maybe ten,
2 fifteen minutes.

3 A. (Inaudible.) I'm so cold.

4 Q. I know. (Inaudible.)

5 2nd UNIDENTIFIED OFFICER: What's your ID number?

6 UNIDENTIFIED OFFICER: One, one, one, two.

7 2ND UNIDENTIFIED OFFICER: Just need to sign that

8 -- (inaudible). That's that. (Unintelligible.)

9 Appreciate it.

10 UNIDENTIFIED OFFICER: Good to go.

11 2ND UNIDENTIFIED OFFICER: Thank you, sir.

12 UNIDENTIFIED OFFICER: All right.

13 2nd UNIDENTIFIED OFFICER: Good luck to you, man.

14 MR. JONES: What's going to happen to me?

15 UNIDENTIFIED OFFICER: What's that?

16 MR. JONES: What's going to happen to me?

17 BY UNIDENTIFIED OFFICER:

18 Q. I'll explain all that in one second. It's
19 going to be all the same print. Okay. So, I'll have you
20 do this. Open up your mouth real wide. Like you're at a
21 doctor's office.

22 A. Ow. So what is that testing?

23 Q. This just tests your DNA, confirms who you
24 are. Okay. The blood on your hand. Where is that hand?
25 Which hand? The right or the left one? What is all that?

1 Scars?

2 A. Old.

3 Q. Old scars? Okay. Was this from tonight
4 though? This is just sterile water.

5 A. Okay. Can I call my parents yet?

6 Q. No. But, we'll get to that. You will be
7 able to call your parents, yes.

8 A. Okay.

9 Q. What was on your hand previous to the gun
10 shot residue test?

11 A. (Inaudible.)

12 Q. Don't know. Okay.

13 A. Could be blood.

14 Q. What's that?

15 A. Could be blood. (Long silence.) Do you
16 know what they look for in the blood type?

17 Q. Say again.

18 A. Do you know what they look for in the blood
19 type?

20 Q. Usually it's for -- to see if like you have
21 any -- how much alcohol you have in your system. Or, how
22 much -- (inaudible) -- in your system.

23 A. Okay. (Long silence.) (Inaudible) -- said
24 more than two people were shot?

25 Q. What?

1 A. (Inaudible) -- said more than two people
2 were shot.

3 Q. I -- I didn't even read all of it. I read
4 what I'm supposed -- required for me.

5 A. Okay. (Long silence.) (Inaudible) --
6 assault?

7 Q. They're all felony charges. I don't know
8 what classification is it exactly. Okay. Here. Stand up.
9 Then, let's see, we have what looks like some --
10 (inaudible) -- right here and over here. Do you know what
11 that might be from? From your lips? Okay. Anything with
12 -- (inaudible) -- there. No? Okay. So, I'm just going to
13 -- (inaudible) -- just look up. You said you were spitting
14 up blood?

15 A. (Inaudible.)

16 Q. That must have --

17 A. (Inaudible.)

18 Q. Looks like -- (inaudible.)

19 A. (Inaudible.)

20 Q. You can sit back down.

21 A. (Unintelligible) -- think that I'm a bad
22 person?

23 Q. (Inaudible.) I don't think you're a bad
24 person because I don't know anything about what truly went
25 on that night. I don't know the other half of the story.

1 Silence from 0:19:10 to 0:20:33

2 Q. Okay. Let me see your hands over here.

3 Okay. Rotate this way. There we go.

4 Silence from 0:20:48 to 0:22:01

5 A. (Inaudible.) What are those for?

6 Q. What's that?

7 A. What are those for?

8 Q. Your clothes essentially.

9 Silence from 0:22:06 to 0:23:20.

10 Q. (Inaudible.)

11 A. Uh hum.

12 Q. (Unintelligible.)

13 A. Uh hum.

14 Silence from 0:23:22 to 0:24:19.

15 A. Are you going to give me warmer clothes?

16 Q. Say again.

17 A. Are you going to give me warmer clothes?

18 Q. I'm going to give you -- I don't know if
19 it's warmer, but we will try that.

20 Loud noises from 0:24:28 to 0:25:20. (Shaking out and
21 opening bags.)

22 A. (Inaudible.) You want me to put my clothes
23 in there?

24 Q. Yeah. One second.

25 Loud noises from 0:25:23 to 0:25:54.

1 Q. (Unintelligible.)

2 Loud noises from 0:25:55 to 0:27:18.

3 Q. All right. So, we'll go one by one. And
4 just keep a list. (Unintelligible.) So, after this --
5 okay. After I -- (unintelligible) -- you are going to be
6 placed into custody, into the jail, and remain there.
7 Okay? From there, you'll be allowed to make a phone call
8 to your mom and dad. Okay. Do you know their phone number
9 by heart? You do? Okay. If not, then that way we could -
10 - I could probably call and you could write down the phone
11 numbers and we can hit it that way. (Unintelligible.)
12 Seal all your clothing. We're going to put this on and
13 fortunately, the actual entrance to the jail is right
14 across the parking lot and so it will be a very, very short
15 walk.

16 A. (Inaudible.)

17 Q. If you want to be by yourself, we can see
18 if there's a room and we can request that solution.

19 A. Is that better?

20 Q. I don't know if it's better but it's
21 definitely something that we could ask about.

22 A. Okay.

23 Q. It's their building, their policies but it
24 doesn't hurt to ask. All right. So, let's start off with
25 your shoes.

1 A. I think I should untie my shoes first.
2 Q. What's that?
3 A. I think I should untie my shoes first.
4 Q. Okay.
5 A. (Inaudible) -- inside the jail?
6 Q. I don't know.
7 A. Are those people going to try to hurt me?
8 Q. No. (Inaudible.)
9 A. (Inaudible.)
10 Q. (Inaudible.)
11 A. Do I have to take off my underwear?
12 Q. Your underwear and as soon that's on, we'll
13 -- (inaudible).
14 A. (Inaudible) -- underwear?
15 Q. Say again?
16 A. I don't get any extra underwear?
17 Q. No. I don't have any extra underwear.
18 This should cover you up.
19 A. Okay.
20 Q. The jail should have some type of like
21 maybe boxers or something.
22 A. All right.
23 Q. We'll for sure check with them.
24 A. Okay.
25 Q. Okay?

1 A. Could you look the other way?

2 Q. What's that?

3 A. Could you look the other way?

4 Q. I have to make sure that you don't do
5 anything with it. I'm sorry.

6 A. Could you stand the other way?

7 Q. Absolutely. Yeah. Here, I'll open this up
8 for you.

9 A. Just step into it?

10 Q. Yeah. That's it.

11 A. And you're going to hold it while I step
12 into it?

13 Q. I can do that for you. (Inaudible.) Okay.
14 And then just -- (unintelligible) -- in there. (Inaudible)
15 -- pulled up. No. (Inaudible.)

16 A. Will I get shoes?

17 Q. I talked to the bull pen --
18 (unintelligible) -- you'll get shoes at the next place.
19 Okay?

20 A. Okay. (Unintelligible) -- when I go to
21 jail?

22 Q. After they take custody of you, then --
23 then that's when I have to leave, yes. I can't go back
24 where you're going to be at.

25 A. Okay.

1 Silence from 0:32:20 to 0:33:00.

2 A. What's that?

3 Q. What's that?

4 A. What's that?

5 Q. Same thing, buccal swab. I'm just --

6 (unintelligible.)

7 A. Okay.

8 Q. Thank you. Let me see your fingers.

9 A. (Inaudible.)

10 Q. (Inaudible) -- camera.

11 A. (Inaudible.) Have you been here all night?

12 Q. (Inaudible.)

13 A. Have you been here all night?

14 Q. What do you mean?

15 A. Have you been here all night?

16 Q. I started at 10 p.m.

17 A. When I fell asleep did you get to leave?

18 Q. Oh, no. I've been here the whole time.

19 Don't worry.

20 Silence from 0:34:32 to 0:36:13.

21 3rd UNIDENTIFIED OFFICER: What do you need help
22 with?

23 UNIDENTIFIED OFFICER: Make sure that I got
24 everything done. I have blood left hand, two blood left
25 hand, two gloves, left hand, stains from the shirt, stains

1 from the pants. Shirt, pants, underwear, socks.

2 3rd UNIDENTIFIED OFFICER: (Unintelligible) --
3 shoes?

4 UNIDENTIFIED OFFICER: Shoes. Let's make sure I
5 got everything there.

6 3rd UNIDENTIFIED OFFICER: Okay.

7 UNIDENTIFIED OFFICER: These are fingernail.

8 3rd UNIDENTIFIED OFFICER: All right, so buccal
9 swabs Steven Jones' mouth.

10 UNIDENTIFIED OFFICER: Yes.

11 3rd UNIDENTIFIED OFFICER: Hands?

12 UNIDENTIFIED OFFICER: I did just the blood. I
13 didn't do regular hands. I didn't do regular hands.

14 3rd UNIDENTIFIED OFFICER: All right. Buccal
15 swabs, blood stain splatter, blood splatter on Steven
16 Jones.

17 UNIDENTIFIED OFFICER: Got that.

18 3rd UNIDENTIFIED OFFICER: Clothes and shoes.

19 UNIDENTIFIED OFFICER: Got it.

20 3rd UNIDENTIFIED OFFICER: Two blood samples from
21 Steven Jones which we got.

22 UNIDENTIFIED OFFICER: Got it.

23 3rd UNIDENTIFIED OFFICER: Urine sample from
24 Steven Jones?

25 UNIDENTIFIED OFFICER: To be done.

1 3RD UNIDENTIFIED OFFICER: To be done?
2 UNIDENTIFIED OFFICER: Should I just do --
3 3RD UNIDENTIFIED OFFICER: Steven, do you have a
4 password on your cell phone? What is that password?
5 MR. JONES: 4663.
6 3RD UNIDENTIFIED OFFICER: 4663?
7 MR. JONES: Yeah.
8 3RD UNIDENTIFIED OFFICER: Okay. Is this his copy
9 or ours?
10 UNIDENTIFIED OFFICER: That's his copy.
11 3RD UNIDENTIFIED OFFICER: Okay.
12 UNIDENTIFIED OFFICER: Can I do both hands at
13 once?
14 3RD UNIDENTIFIED OFFICER: Yeah. You have one
15 wet, one dry? What is that for?
16 UNIDENTIFIED OFFICER: Hands.
17 3RD UNIDENTIFIED OFFICER: Yeah. One wet, one
18 dry?
19 UNIDENTIFIED OFFICER: (Unintelligible) -- one
20 wet, one dry. I can do that though. (Inaudible.)
21 3RD UNIDENTIFIED OFFICER: No, You're -- yeah.
22 Just go like that together. Did you -- do you use
23 marijuana or any drugs?
24 MR. JONES: I tried it when I moved up here but
25 not habitually, not more than once.

1 BY 3RD UNIDENTIFIED OFFICER:

2 Q. When was the last time?

3 MR. JONES: Two, three, four weeks ago, maybe.

4 Q. Which, which one? That's kind of a huge --
5 you know what I'm saying? I'm not trying to be mean or
6 anything but that's --

7 A. The first week of move-in week.

8 Q. Move-in week was the last time?

9 A. Yeah. Somebody was like, "Hey, you want to
10 try this?"

11 Q. Okay. How did that -- I mean, any -- have
12 you -- have you used it since?

13 A. Uh.

14 Q. No. Okay.

15 A. I didn't really like it.

16 Q. Have you used any other drugs?

17 A. Um. Like what?

18 Q. Like are you on any medications right now?

19 A. Yeah. Penicillin.

20 Q. Oh, what medications are you on?

21 A. Penicillin.

22 Q. Penicillin? Okay.

23 A. For a strep throat.

24 Q. When were you diagnosed with that?

25 A. About a week or two -- or no, maybe nine

1 days ago.

2 Q. Nine days ago. How much -- how often are
3 you supposed to take that?

4 A. Twice a day.

5 Q. Twice a day?

6 A. Yeah. I mean I have only have a few pills
7 left.

8 Q. Only a few pi -- only a few pill -- only a
9 -- you can tell I've been awake, too. So, you have a few
10 pills. It's been nine days ago. Where -- where did you go
11 to the doctor for that?

12 A. At the health clinic at the HOC (phonetic).

13 Q. Do you see a psychiatrist or counselor or
14 anybody like that?

15 A. No.

16 Q. Have you ever?

17 A. No.

18 Q. Okay.

19 4th UNIDENTIFIED OFFICER: That's different.

20 UNIDENTIFIED OFFICER: What's that?

21 4th UNIDENTIFIED OFFICER: It might be different,
22 right?

23 UNIDENTIFIED OFFICER: Yeah.

24 3rd UNIDENTIFIED OFFICER: Steven, just real
25 quick. How do you feel about this incident?

1 MR. JONES: I feel horrible.

2 BY 3RD UNIDENTIFIED OFFICER:

3 Q. Okay. Do you think that you did something
4 wrong?

5 MR. JONES: I feel like I did what I needed to do
6 to protect my life.

7 Q. Okay.

8 A. But I still feel awful.

9 Q. You still feel awful? Okay. Is there
10 anything that you think you could have done different?
11 Like, or that you wish you would have done different?

12 A. I wish I didn't go out that night.

13 Q. Okay. We're -- so, I just want to confirm.
14 Okay? I want to make sure all your statements to me --
15 have, have they been truthful? Okay. How much did you
16 have to drink last night?

17 A. Like some -- like a sip of my friends'
18 beer, like --

19 Q. That was in -- we're going to try to track
20 those guys down that were at the apartment.

21 A. Okay.

22 Q. So.

23 A. Yeah. It was somebody's -- like a girl's
24 beer or something. Four Loco or whatever --

25 Q. So, how much would a sip be? Just like

1 that? Okay. Just a normal sip?

2 A. Yeah.

3 Q. Okay. What about -- one of your -- one of
4 the witnesses -- and I asked you this and you were kind of
5 asleep but it sounds like you -- are you more awake now?

6 A. Yeah.

7 Q. Did you -- did you guys know that that was
8 a -- you actually pulled off the park, that you knew that
9 it was a fraternity affiliated house. Right? Delta Chi

10 A. We had reason to believe. We didn't know.

11 Q. For certain?

12 A. Yeah.

13 Q. Okay. What did -- did somebody ding-dong
14 ditch that house?

15 A. I think maybe, yeah. Like, I don't really
16 remember. I wasn't part of it.

17 Q. Okay.

18 A. But, yeah, maybe, like before.

19 Q. Who was that?

20 A. I don't know.

21 Q. You don't know.

22 A. One of the guys. I don't know.

23 Q. Well, you were with two other people.

24 Right? So, was it Jake?

25 A. It was either Jake or Shae.

1 Q. Okay. What did they take prior to doing
2 that?

3 A. Like, I kept walking when they stopped at
4 the house because I was just going to my car. I guess,
5 like, I thought something little happened like they made a
6 joke or something that was funny and then I came back.
7 That's when we started hanging out on the sidewalk there.

8 (Inaudible background conversation.)

9 Q. Outside of the sip of alcohol that you had
10 earlier tonight, no other recent drug use? Okay. Except
11 for that --

12 A. Just move-in week.

13 Q. Just move-in week. So, that was a while
14 ago, right?

15 A. Yeah.

16 Q. Okay. What did you end up -- what have you
17 been doing this week? How was your attendance in school?
18 Kind of walk me through starting on Monday.

19 A. My attendance was perfect.

20 Q. Okay.

21 A. Monday I went to my NAU 100 class.

22 Q. What is that?

23 A. It's all about NAU. They teach you about
24 the services and stuff they have.

25 Q. Okay.

1 A. Then I went to my NGT (phonetic) 101 class
2 and my management 101, took some notes, normal class. Then
3 I went to -- then I went to my fraternity meeting after
4 that.

5 Q. When was that fraternity meeting?

6 A. Well, it wasn't a meeting. It was study
7 hours at the library, 7:00 to 9:00.

8 Q. When was that?

9 A. Monday.

10 Q. That was Monday night?

11 A. Okay.

12 Q. Where do you guys meet for that?

13 A. Upstairs at Cline Library.

14 Q. Okay and what's the point of that?

15 A. To study.

16 Q. Okay. I don't know if I asked you. What's
17 your major?

18 A. Business.

19 Q. Business. Okay. Do you have an emphasis
20 or, a like a particular thing?

21 A. Just management.

22 Q. Do you like want to -- like, what do you
23 want to do?

24 A. I wanted to start a car business, like a
25 tuning shop for cars where you could program engines and

1 like make them faster.

2 Q. So, like that whole drifting?

3 A. No, not really. Just programming engines
4 to make them more efficient and faster.

5 Q. Okay. Is that relatively easy?

6 A. No.

7 Q. Okay. Nothing that -- so it takes a skill
8 set to do that?

9 A. Yeah.

10 Q. I don't know anything about it, man.
11 Sorry.

12 A. It's okay.

13 Q. All right. How did -- so, you kind of
14 mentioned earlier since you got here that you were kind of
15 feeling down because you didn't have any friends or
16 anything like that?

17 A. Oh, no. That was just like the first week
18 of move-in week. Because like, just a little bit lonely,
19 you know.

20 Q. Okay.

21 A. Just like I didn't have any friends and I
22 didn't know anybody and I went to Rush and started talking
23 to people in my dorm and, you know, made friends. Like, I
24 know people in my hall and my neighbors and my pledge
25 brothers.

1 Q. Okay. But the two subjects that you met
2 tonight, you didn't know them up until when?

3 A. Up until they tried to kill me.

4 Q. No, no, no. Not those guys. Your friends
5 that you were with tonight.

6 A. Oh, until Rush.

7 Q. Oh, Rush.

8 A. Rush Week.

9 Q. All right. When did Rush Week start?

10 A. The day after -- (unintelligible) -- so,
11 September 14th, I believe.

12 Q. September 14th. Okay. How has that been?

13 A. I loved it. I mean, they're great guys.
14 They're genuine, they're honest, they're happy, they're
15 supportive. I mean --

16 Q. Okay.

17 A. And I've been happy. I've been good.

18 Q. Okay. No major incidents with that?

19 A. No. I mean, what do you mean?

20 Q. Umm. Like hazing or anything?

21 A. Oh, no. Like Sigma Chis are nice. Yeah.
22 Sigma Chis are nice.

23 Q. What kind of things do you have to do?

24 A. You have to recite things from memory like
25 the standards of behavior and the creed and everything.

1 Q. Okay.

2 A. And then you have to go to study hours, you
3 have to turn in grade check sheets.

4 Q. Okay. Oh, so that -- it's like way
5 academic then.

6 A. Yeah. It's -- it's an academic fraternity.
7 You have to have a 2.75 GPA.

8 Q. All right. What's your GPA now?

9 A. Above a 2.75, I think.

10 Q. Okay. Are you crushing it like academic-
11 wise?

12 A. Not crushing it but I'm doing alright.
13 Like, I'm doing my best.

14 Q. Okay. How -- you had to -- how many credit
15 hours are you taking now?

16 A. I think just below full time. So, like
17 eleven.

18 Q. Eleven?

19 A. Yeah.

20 Q. Okay.

21 A. Like, I had to drop a class because I
22 wasn't doing very well in it. So, that put me below more
23 than a full time.

24 Q. Okay. What did you end up doing last
25 night?

1 A. I told you already.

2 Q. Like, yeah, walk me through, like, dinner
3 at 6:00.

4 A. Oh, okay.

5 Q. Let's start -- like, let's start right
6 there.

7 A. We met at 6:00 and we met at Cline Library
8 to study at 7:00.

9 Q. Can I back you up for one second? Did you
10 go to dinner with anybody?

11 A. A lot of people. Like, I met them there. I
12 didn't go with them.

13 Q. Oh, who were they?

14 A. Just guys from the fraternity and pledges.

15 Q. Oh, so that was -- it was strictly --

16 A. Not strictly but -- it wasn't exclusive. I
17 mean, we just hang out with each other, you know.

18 Q. Sure.

19 A. It wasn't an official thing.

20 Q. Okay.

21 A. We just met up at the Hot Spot (phonetic).

22 Q. Okay. Did you drive up there?

23 A. I drove to Mountain View and walked to the
24 Hot Spot.

25 Q. Okay. For dinner?

1 A. Yeah.

2 Q. And then what did you guys do after dinner?

3 A. We went to the Cline Library to study.

4 Q. What time was that at?

5 A. 7:00.

6 Q. 7:00.

7 A. 7:00 - 7:30.

8 Q. Okay. How long were you guys at Cline, do
9 you think?

10 A. Until about 9:30 to 10:30 ish, that area.

11 Q. Okay.

12 A. Yeah

13 Q. So, then what did you guys do after you
14 left Cline?

15 A. We went to the gas station to fill up and
16 then we went to Riley because Shay needed to put his
17 laundry up in his room or something. Then I picked him
18 back up from Riley and we went back to Mountain View and
19 parked at Mountain View and then we walked to the Grove.

20 Q. Okay. And then that's when everything kind
21 of transpired that we've already talked about.

22 A. Uh hum.

23 Q. Okay. Do you -- do you need to have him
24 go?

25 UNIDENTIFIED OFFICER: Yes.

1 3RD UNIDENTIFIED OFFICER: Okay.

2 UNIDENTIFIED OFFICER: And you verified I have
3 everything here?

4 3RD UNIDENTIFIED OFFICER: Yeah. We'll go through
5 it really quick before you go. Buccal swab from Steven
6 Jones' mouth. Buccal swab from Steven Jones' hands -- from
7 blood -- (unintelligible) -- buccal swab. I mean blood
8 stain spatter and/or blood spatter on Steven Jones.

9 UNIDENTIFIED OFFICER: Okay.

10 3RD UNIDENTIFIED OFFICER: Clothing --
11 (unintelligible) -- Steven Jones was currently wearing.

12 UNIDENTIFIED OFFICER: Okay.

13 3RD UNIDENTIFIED OFFICER: Two blood samples from
14 Steven Jones.

15 UNIDENTIFIED OFFICER: Okay.

16 3RD UNIDENTIFIED OFFICER: Urine sample from
17 Steven Jones.

18 UNIDENTIFIED OFFICER: About to get.

19 3RD UNIDENTIFIED OFFICE: Okay. Any other
20 biological evidence -- (unintelligible) -- that tend to
21 show that crime, homicide were committed. Any and all
22 firearms, any and all ammunition, any and all documents,
23 cases, storage devices, photographs, bio samples to include
24 the now mentioned blood and residue. Any and all
25 documentation for establishing identity of occupant or --

1 (inaudible).

2 UNIDENTIFIED OFFICER: Okay.

3 3rd UNIDENTIFIED OFFICER: Okay. Any and all cell
4 phones, any and all computers, tablets, external storage
5 devices, any and all ledgers, notes written or type
6 diaries, any and all legal drugs -- (unintelligible). So,
7 yeah.

8 UNIDENTIFIED OFFICER: We'll go to get a urine
9 sample then. (Inaudible.)

10 4th UNIDENTIFIED OFFICER: (Inaudible.)

11 UNIDENTIFIED OFFICER: Is there anything else you
12 need?

13 3RD UNIDENTIFIED OFFICER: No, I think I'm good.
14 Okay. Thank you.

15 UNIDENTIFIED OFFICER: Absolutely. (Inaudible.)

16 4th UNIDENTIFIED OFFICER: (Inaudible.) Clip it.

17 UNIDENTIFIED OFFICER: (Inaudible.) Clip it?

18 4TH UNIDENTIFIED OFFICER: (Inaudible.)

19 UNIDENTIFIED OFFICER: (Inaudible.) Do you think
20 I could -- (inaudible) -- blood sample?

21 3RD UNIDENTIFIED OFFICER: The what? Um, that --
22 I don't know. That's going to be up to you.

23 UNIDENTIFIED OFFICER: Okay.

24 4TH UNIDENTIFIED OFFICER: (Inaudible.)

25 3rd UNIDENTIFIED OFFICER: Yeah, you push it in

1 this direction. Yeah, but don't do that yet.

2 UNIDENTIFIED OFFICER: I know. (Unintelligible.)

3 I'm not supposed to clip it?

4 3rd UNIDENTIFIED OFFICER: No, that's just to help
5 unlock it. You're good. You just do that and then once he
6 pees in there, you'll lock it down like that.

7 UNIDENTIFIED OFFICER: Okay.

8 3RD UNIDENTIFIED OFFICER: Don't -- this is, this
9 is ours.

10 UNIDENTIFIED OFFICER: Okay.

11 3rd UNIDENTIFIED OFFICER: We need the actual
12 warrant, not the affidavit.

13 UNIDENTIFIED OFFICER: (Unintelligible.)

14 3RD UNIDENTIFIED OFFICER: I'm going to run back
15 downstairs. Are you guys good here? Go pee.

16 Silence from 0:49:56 to 0:53:05.

17 4th UNIDENTIFIED OFFICER: (Inaudible.)

18 UNIDENTIFIED OFFICER: (Inaudible) -- this?

19 4th UNIDENTIFIED OFFICER: (Inaudible) -- personal
20 property -- (inaudible)?

21 UNIDENTIFIED OFFICER: I have this -- (inaudible)
22 -- right here?

23 4th UNIDENTIFIED OFFICER: (Inaudible.)

24 UNIDENTIFIED OFFICER: Yeah.

25 4th UNIDENTIFIED OFFICER: (Inaudible.)

1 UNIDENTIFIED OFFICER: (Inaudible.)
2 4TH UNIDENTIFIED OFFICER: Got it?
3 UNIDENTIFIED OFFICER: Where did -- (inaudible) -
4 - go?
5 4TH UNIDENTIFIED OFFICER: (Inaudible.)
6 UNIDENTIFIED OFFICER: Yeah.
7 4TH UNIDENTIFIED OFFICER: (Inaudible.)
8 UNIDENTIFIED OFFICER: What's that?
9 4th UNIDENTIFIED OFFICER: (Inaudible) -- go
10 downstairs real quick and -- (inaudible).
11 2nd UNIDENTIFIED OFFICER: (Inaudible.)
12 4th UNIDENTIFIED OFFICER: Yeah. (Inaudible.)
13 MR. JONES: Are they going to do anything for my
14 mouth?
15 UNIDENTIFIED OFFICER: Who's that?
16 MR. JONES: The people that are going to be
17 dropping me off.
18 UNIDENTIFIED OFFICER: Sorry. One more time.
19 They were talking over there.
20 MR. JONES: The people who are dropping me off,
21 are they going to do anything for my mouth.
22 UNIDENTIFIED OFFICER: They might have a nurse
23 there that could take a look at your mouth. (Inaudible.)
24 But, are you like -- we're talking about your -- a tooth?
25 MR. JONES: No, like it hurts --

1 UNIDENTIFIED OFFICER: Hurts when you talk. Are
2 you thinking like a ibuprofen or a Tylenol might be able to
3 --

4 MR. JONES: I'm fine.

5 UNIDENTIFIED OFFICER: Okay.

6 MR. JONES: It's just annoying. Do you know
7 anything about the people in the hospital?

8 UNIDENTIFIED OFFICER: I heard that -- what was
9 it? One -- I thought one had to go through surgery and two
10 were stable. (Unintelligible).

11 MR. JONES: (Unintelligible.)

12 UNIDENTIFIED OFFICER: What's that? Hey,
13 Theresa?

14

15 MR. JONES: When I get there? What's it like?

16 UNIDENTIFIED OFFICER: Well, they're going to ask
17 you some medical questions, what you're allergic to, high
18 blood pressure, all that good stuff. And they'll make you
19 change out of that. (Inaudible) -- give you other attire
20 that would -- stuff that fits you. I would assume would
21 fit you.

22 MR. JONES: Is it warmer there?

23 UNIDENTIFIED OFFICER: I think they're a lot
24 thicker, yes. And I believe you do get blankets there.

25 MR. JONES: Will I be able to call my mom?

1 UNIDENTIFIED OFFICER: You can call your mom
2 there, yes. Hey, T.

3 THERESA: Yeah.

4 UNIDENTIFIED OFFICER: What was the fingernail
5 item number?

6 THERESA: (Inaudible.)

7 UNIDENTIFIED OFFICER: (Inaudible) -- and hand
8 swabs were --

9 THERESA: (Inaudible.)

10 UNIDENTIFIED OFFICER: Thirteen

11 THERESA: Uh hum.

12 UNIDENTIFIED OFFICER: (Inaudible) -- the other
13 ones.

14 THERESA: (Inaudible.)

15 UNIDENTIFIED OFFICER: Okay. So, this one was.
16 That one drying is now, this was -- (inaudible).

17 THERESA: (Inaudible.)

18 UNIDENTIFIED OFFICER: Yeah.

19 THERESA: Okay.

20 UNIDENTIFIED OFFICER: Yeah. Those are drying.
21 Wet, wet, wet, wet.

22 THERESA: We just need -- (inaudible.)

23 UNIDENTIFIED OFFICER: Okay.

24 THERESA: (Inaudible.)

25 UNIDENTIFIED OFFICER: Yeah. I can take it.

1 THERESA: (Inaudible.)
2 Disc #9:
3 THERESA: (Inaudible.)
4 BOOKING OFFICER: Okay.
5 THERESA: (Inaudible.)
6 BOOKING OFFICER: Okay.
7 THERESA: And then -- (inaudible.)
8 BOOKING OFFICER: (Inaudible) -- the specific
9 statute?
10 THERESA: Yes. (Inaudible.)
11 BOOKING OFFICER: Okay. Do you want me to do the
12 paper bags for these swabs right now? Or, do you want me
13 to book him in and come back. Theresa?
14 Do you want me to do the paper bags for these right now or
15 do you want me to book him and come back?
16 THERESA: I'll do -- well, I'm going to wait..
17 I'm going to leave this here and then once I'm done talking
18 to the chief.
19 BOOKING OFFICER: Okay.
20 THERESA: I'll start labeling these and then --
21 BOOKING OFFICER: Okay.
22 THERESA: I'll help --
23 BOOKING OFFICER: Is the chief coming here?
24 THERESA: No. He is with -- (inaudible).
25 BOOKING OFFICER: Okay. I just want to make sure

1 that nobody comes into the -- (inaudible).

2 THERESA: Oh -- (unintelligible).

3 BOOKING OFFICER: Okay.

4 THERESA: Yeah.

5 BOOKING OFFICER: Okay. Do you know where --
6 (unintelligible)?

7 THERESA: No. You want to try calling him? Let
8 me -- (inaudible).

9 BOOKING OFFICER: Okay.

10 THERESA: (Inaudible.)

11 MR. JONES: Do you know how bail works?

12 UNIDENTIFIED OFFICER: What's that?

13 MR. JONES: Do you know how bail works?

14 UNIDENTIFIED OFFICER: Depending on when you see
15 a judge --

16 MR. JONES: Okay.

17 UNIDENTIFIED OFFICER: The judge will set the
18 bail amount.

19 MR. JONES: Okay.

20 UNIDENTIFIED OFFICER: If any.

21 THERESA: (Inaudible.) Right now -- (inaudible).

22 MR. JONES: What are we doing now?

23 UNIDENTIFIED OFFICER: I'm waiting for a piece of
24 paperwork that one of the officers ran off with. That's
25 all. That's it.

1 MR. JONES: Okay.

2 THERESA: Hey, I'm going to go down --

3 (inaudible.)

4 UNIDENTIFIED OFFICER: Okay. This is also part
5 of this -- (unintelligible).

6 Silence from 0:03:43 to 0:05:07 (Inaudible background
7 conversation.)

8 UNIDENTIFIED OFFICER: (Inaudible.) Thank you.

9 Silence from 0:05:08 to 0:06:53 (Inaudible background
10 conversation.)

11 UNIDENTIFIED OFFICER: (Inaudible) -- something.
12 (Unintelligible) -- every time -- (unintelligible).

13 Silence from 0:07:06 to 0:08:52 (Inaudible background
14 conversation.)

15 UNIDENTIFIED OFFICER: Yeah. Hello. Hey. All
16 right. Thanks. Bye. (Inaudible.)

17 THERESA: (Inaudible.)

18 UNIDENTIFIED OFFICER: (Inaudible.)

19 THERESA: (Inaudible.)

20 UNIDENTIFIED OFFICER: (Inaudible.) Oh, okay.

21 (Unintelligible.) You're okay. I know you --

22 (unintelligible.)

23 Silence from 0:09:49 to 0:11:41.

24 UNIDENTIFIED OFFICER: Theresa, do you have any
25 more swab paper bags.

1 THERESA: Uh uh

2 UNIDENTIFIED OFFICER: Okay.

3 Silence from 0:11:47 to 0:12:35

4 MR. JONES: Will they let me sleep there?

5 UNIDENTIFIED OFFICER: Yes. Actually --

6 (unintelligible) -- to go to see a judge and all that.

7 Yeah. Thanks. All set. (Unintelligible).

8 BOOKING OFFICER: Yeah. Do you have the warrant
9 or just this affidavit?

10 UNIDENTIFIED OFFICER: Just the affidavit. I
11 don't have a copy -- I thought that -- he said you --

12 BOOKING OFFICER: Who, who brought that to you?

13 UNIDENTIFIED OFFICER: Kevin.

14 MR. JONES: How soon do I get to see a judge?

15 UNIDENTIFIED OFFICER: Well, we're going to try
16 to probably -- I think what the jail commander just told
17 me, that they're going to try to do a special hearing.
18 Because usually, like if you had -- you were booked like
19 sometime last night, you would see a judge -- like
20 everybody sees a judge at 10:00 o'clock in the morning.

21 MR. JONES: Okay.

22 UNIDENTIFIED OFFICER: But, since it's past 10:00
23 o'clock then it's over with. Technically, you would see a
24 judge tomorrow at 10:00 o'clock.

25 BOOKING OFFICER: They're going to do it today.

1 UNIDENTIFIED OFFICER: But that's like -- what
2 they're -- but like I said, they are going to do a special
3 hearing, and so that way you'll see a judge today.

4 MR. JONES: Okay.

5 Silence from 0:13:26 to 0:16:11.

6 BOOKING OFFICER: Keegan (phonetic).

7 UNIDENTIFIED OFFICER: Yes.

8 BOOKING OFFICER: 'Here's the -- (unintelligible)
9 -- property.

10 UNIDENTIFIED OFFICER: This is all his --

11 BOOKING OFFICER: Yeah. Can you read it and
12 verify everything on there is okay?

13 UNIDENTIFIED OFFICER: Yeah. I changed -- I
14 changed something on here.

15 BOOKING OFFICER: Changed what?

16 UNIDENTIFIED OFFICER: (Inaudible) -- said this
17 is what we're -- (inaudible) -- just that and that.

18 BOOKING OFFICER: Okay. You going to fix it?

19 UNIDENTIFIED OFFICER: No, I'm fine.

20 (Unintelligible.)

21 BOOKING OFFICER: Let me fix it.

22 UNIDENTIFIED OFFICER: Okay.

23 BOOKING OFFICER: I'll be right back.

24 UNIDENTIFIED OFFICER: So, this is a copy of the
25 actual search warrant. Okay. So, we'll have this in your

1 property when we're at the jail. (Unintelligible) -- all
2 the charges.

3 MR. JONES: Can you say them again?

4 UNIDENTIFIED OFFICER: Yeah, first degree
5 homicide, okay, and then three counts of aggravated
6 assault.

7 MR. JONES: Okay.

8 UNIDENTIFIED OFFICER: And those are all the
9 charges at this time.

10 MR. JONES: Okay.

11 UNIDENTIFIED OFFICER: That's what we're at least
12 booking you in on. If the prosecutor or county attorney,
13 after reviewing the case, does all their legal stuff that
14 they do at the end but you'll be notified all that stuff
15 they do.

16 MR JONES: Okay.

17 UNIDENTIFIED OFFICER: How is your vein doing? I
18 saw that you took it off. You want to throw that away?

19 MR. JONES: Yes, please.

20 Silence from 0:18:02 to 0:18:45

21 MR. JONES: (Inaudible.)

22 UNIDENTIFIED OFFICER: (Inaudible.)

23 MR. JONES: Are we leaving soon?

24 UNIDENTIFIED OFFICER: Yes, the sheet that I was
25 waiting for had the wrong thing on it.

1 MR. JONES: (Inaudible.) What wrong thing?

2 UNIDENTIFIED OFFICER: Just of the charges.

3 There was a typo. So, they're fixing that for you.

4 2nd UNIDENTIFIED OFFICER: (Inaudible) -- pocket
5 with your keys. (Inaudible.)

6 Silence from 0:19:42 to 0:20:19 (Inaudible background
7 conversation.)

8 UNIDENTIFIED OFFICER: (Inaudible) -- iPhone.

9 MR. JONES: Six.

10 UNIDENTIFIED OFFICER: iPhone 6. Black.

11 Silence from 0:20:21 to 0:21:34 (Inaudible background
12 conversation.)

13 UNIDENTIFIED OFFICER: Copies -- (inaudible).

14 So, all this is yours. The pink copies are just -- it's
15 just a receipt that the things that we -- (unintelligible).
16 That's all that says.

17 THERESA: (Inaudible.)

18 UNIDENTIFIED OFFICER: No, T. I was able to put
19 three of the buccal swabs into plastic bags. Or, I'm
20 sorry. Paper bags. They didn't have any more.

21 Silence from 0:22:06 to 0:23:40 (Inaudible background
22 conversation.)

23 UNIDENTIFIED OFFICER: Uh, let me get you the
24 exact time. First call was at 9:04. (Inaudible.) Thank
25 you.

1 2nd UNIDENTIFIED OFFICER: Sorry. This is a
2 copy.

3 UNIDENTIFIED OFFICER: (Inaudible.)

4 Silence from 0:24:24 to 0:24:55

5 UNIDENTIFIED OFFICER: Hey, T. I'm going to take
6 off.

7 THERESA: (Inaudible.) Huh?

8 UNIDENTIFIED OFFICER: Yeah. Here is --

9 THERESA: (Unintelligible) -- can you bring tape
10 for me? It's on the evidence -- (unintelligible) -- and
11 small bags. Paper.

12 RADIO TRAFFIC: I'm already -- (unintelligible) -
13 - would you like me to go back and retrieve that?

14 THERESA: I would greatly appreciate that.

15 RADIO TRAFFIC: 10-4. Small bags and tape.

16 THERESA: Yes. (Unintelligible.)

17 UNIDENTIFIED OFFICER: Okay. Ready to go.

18 MR. JONES: Yeah.

19 UNIDENTIFIED OFFICER: I just have to put the
20 handcuffs in the front. That's the policy. I can --
21 (inaudible) -- absolutely. There. You got your stuff. Do
22 you want to have any glasses of water? I don't know the
23 next time you'll be able to get a sip so if you want to
24 right now, you're welcome. (Unintelligible.)

25 THERESA: (Inaudible) -- get that thumb drive?

1 RADIO TRAFFIC: Sorry. Again?

2 THERESA: You have that thumb drive?

3 Silence from 0:26:41 to 0:28:22 (Inaudible background
4 conversations.)

5 2ND UNIDENTIFIED OFFICER: I'm going to go to
6 Sam's Club real quick. I'm going to run over to Sam's.

7 THERESA: What are you getting?

8 2ND UNIDENTIFIED OFFICER: Two gigabyte thumb
9 drive.

10 THERESA: Um , I have -- (inaudible) -- bring
11 that to me?

12 2ND UNIDENTIFIED OFFICER: (Unintelligible.)

13 THERESA: (Inaudible.)

14 2ND UNIDENTIFIED OFFICER: I'm going to go --
15 (unintelligible). Okay.

16 THERESA: Is it -- (inaudible.)

17 2ND UNIDENTIFIED OFFICER: If I can get --
18 (unintelligible) -- 6 gig or whatever.

19 THERESA: (Inaudible.)

20 2ND UNIDENTIFIED OFFICER: It's going to be huge.

21 THERESA: Let me go -- (inaudible).

22 2ND UNIDENTIFIED OFFICER: (Inaudible.)

23 THERESA: (Inaudible.)

24 2ND UNIDENTIFIED OFFICER: I'm going to go --
25 (inaudible) -- I'm going to go. (Inaudible.)

1 THERESA: (Inaudible.)

2 2nd UNIDENTIFIED OFFICER: (Inaudible.)

3 THERESA: Can you do me a favor? Can you --
4 (inaudible.) Yeah. Yeah. (Unintelligible.) Yeah. Yeah.
5 (Unintelligible.)

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